THE Nation.

PALIN'S SHOTGUN POLITICS
Gary Younge

OBAMA, McCAIN & NEW ORLEANS
Michael Tisserand
Naomi Klein

SLOW FOOD
Eric Schlosser

SODOMY'S PAST
Margot Canaday

ISRAEL AT 60: THE STATE OF THE STATE

ERIC ALTERMAN

SEPTEMBER 22, 2008
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Letters

Sex & the Witty

Santa Cruz, Calif.
Hurrah for "Carnal Knowledge"! [Aug. 4/11] The first installment is engaging, provocative and altogether promising (though the jab at Lady McCain was ill considered). Can't wait for the next. The possibilities of the subject are limitless, and JoAnn Wypijewski, a national treasure, is just the woman for the job.
David Sweet

Denver
If JoAnn Wypijewski's first submission, "The Shadow of His Smile," to your new "Carnal Knowledge" column is indicative of what will continue to be offered, shut it down now. That was the most pointless, contrived drivel I've ever read in your pages.
David Lampert

La Jolla, Calif.
I applaud the addition of "Carnal Knowledge." JoAnn Wypijewski has such a nice way with words. I don't always agree with what she says, but I do like to hear her say it.
Richard Shorter

McMinnville, Ore.
Sex comes along and kneecaps politicians from time to time. Otherwise it has no place in politics, or *The Nation*. I read the piece carefully but detected no substance or relevance, only a little drool.
Ann Buckingham

Westport, Conn.
To say thank you to JoAnn Wypijewski and *The Nation* does not begin to express my delight upon reading her first "Carnal Knowledge" column. In our state of turmoil and anxiety about everything that has been happening in our country under Bush, Wypijewski is making more sense than most political commentators. Her focus and perception of the sex factor, which no one dares talk about, is brilliant. I cannot wait to read her next column!
Estelle T. Margolis

letters@thenation.com

MoveOn—It Moves Me

Nashua, N.H.
I read with much interest Christopher Hayes's "MoveOn at Ten" [Aug. 4/11]. I must admit I am one of the many "one click activists" using MoveOn's easy access to petitions. I also contribute money regularly when they propose to air an ad on one of my hot-button issues. I have not taken part in any other MoveOn activities and am probably typical. I can see Hayes's point about the diminishing effect of the petitions, given the small effort it takes to "sign" one. But I still feel that MoveOn provides a much-needed outlet for my frustration with the course government has taken since the Reagan era. I found MoveOn shortly after the 2004 election, when so many of us woke up stunned and thought, "They re-elected *Bush*?" I can only hope its mission will become less necessary in the future.
Gabor Szakacs

Richardson, Tex.
Conservatives are learning to use the Internet, too. Newt Gingrich put together more than 1 million signatures on his "Drill Here, Drill Now, Pay Less" petition in less than a month.
B. Marks

And No More Ink on Your Hands…

Toppenish, Wash.
A few comments on Eric Alterman's August 4/11 column, "I Read the News Today… Oh Boy": environmentalists everywhere should be celebrating the demise of the major newspapers. Consider the vast forests of Douglas fir that are destroyed for ads in the Sunday *New York Times*. Don't forget the floods that result from these clear-cuts, plus the water wasted and the air pollution released during pulp production. Now maybe we can get our native ecology back!

Plus, as Alterman has advised numerous times, the print MSM has not reported any real news for years anyway. The

(continued on page 24)

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Tale of Two Conventions

Presidential nominating conventions are little more than political theater these days. Nonetheless, two very different modes of drama were on display in St. Paul and Denver.

EDITORIAL

The Democrats used their meeting to tell a richer, more expansive national story, one more or less in tune with the party's platform and aspirations. In contrast, as we go to press, the Republicans are staging an elaborate fraud, the purpose of which is to divert the public's attention from their disastrous mismanagement of government and to deceive voters about their agenda. Rick Davis, John McCain's campaign manager, admitted as much when he said, "This election is not about issues. This election is about a composite view of what people take away from these candidates."

And just what is the take-away from the RNC? The GOP would have Americans believe that McCain is a postpartisan "country first" maverick. But its attempt at stagecraft—never mind statecraft—runs afoul of inconvenient truths. By picking first-term Alaska Governor Sarah Palin as his running mate, McCain exposed the cynical pandering that is his campaign's prevailing electoral strategy as well as the far-right ideology to which the controlling base of his party is fiercely committed.

In her debut speech in Dayton, Palin sought to appeal to women voters, many of whom supported Hillary Clinton in the Democratic primaries. But for all the talk about Palin representing a feminist crack in the glass ceiling, her true value to the party lies in her identity as a cultural reactionary—committed to abstinence-only sex education and creationism in schools and opposed to abortion in all circumstances except to save a woman's life (no exceptions for rape, incest or for a woman's health). The first piece of legislation she signed as governor launched a referendum that would strip health benefits from same-sex partners of Alaska state employees. If these positions are not shared by the vast majority of Americans—or by McCain—they are plainly endorsed by the Republican Party's platform, which calls for constitutional amendments to ban same-sex marriage and abortion. It now appears that the same right-wingers who pushed these measures—Phyllis Schlafly, James Dobson, Tony Perkins and their ilk—are the ones who really "vetted" McCain's vice presidential choice, and it is abundantly clear that these extremists dictate the agenda of the Republican Party, the party of Palin as much or more than the party of McCain.

Likewise, the fundraisers and phone-a-thons the GOP hastily choreographed as Hurricane Gustav struck the Gulf Coast painted a self-serving veneer of charity on top of decades of neglect. The starve-the-beast mentality that made New Orleans so vulnerable to Hurricane Katrina is amply reflected in McCain's record after that storm (see Michael Tisserand, "Revisiting New Orleans," page 5).

The Republicans put on a happy face as the party of change while embracing an agenda to thwart it; the Democrats, inspired by the historic nomination of Barack Obama, stamped themselves as the party of multiculturalism—and backed up the symbolism with a robust populist politics. There were more women delegates than men, and 44 percent represented minority communities. The party platform was the strongest it has ever been on gay, lesbian and women's issues—including a new section on women's economic opportunity that urges passage of the Fair Pay Act—which McCain opposes. It's a platform that represents much-maligned "identity politics" at its best—it's not just about images but about those pesky "issues" Republicans don't want to discuss.

Page 25: An unlikely king

Inside

2 Letters

Editorials & Comment

3 Tale of Two Conventions

4 Slow Food for Thought
ERIC SCHLOSSER

5 Revisiting New Orleans
MICHAEL TISSERAND

5 Noted

Columns

6 Deadline Poet
Two Views of Hurricane Gustav and the Republicans
CALVIN TRILLIN

6 Comix Nation
ROBERT GROSSMAN

8 The Liberal Media
The Times, They Have A-Changed
ERIC ALTERMAN

9 Lookout
New Orleans: The City That Won't Be Ignored
NAOMI KLEIN

10 Beneath the Radar
Sarah Palin's Shotgun Politics
GARY YOUNGE

Articles

11 Israel at 60: The State of the State
Israel is a far more complex country than is portrayed in the US media.
ERIC ALTERMAN

21 War Is Personal (PHOTO ESSAY)
EUGENE RICHARDS

22 Overcharged
On top of prison time, offenders are slapped with fees they can't pay.
EMILY JANE GOODMAN

Books & the Arts

25 Shlaim: Lion of Jordan: The Life of King Hussein in War and Peace
BERNARD AVISHAI

30 All Aboard (POEM)
BERNADETTE MAYER

32 Eskridge: Dishonorable Passions: Sodomy Laws in America
MARGOT CANADAY

COVER DESIGN BY GENE CASE & STEPHEN KLING/ AVENGING ANGELS; ILLUSTRATION BY RYAN INZANA

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NEWS & ANALYSIS

Patricia J. Williams: Frontier justice

Bob Moser: Rockefeller Republicans

Robert Scheer: Alaska's windfall profits

Katrina vanden Heuvel: The GOP & Gustav

STUDENT NATION
The semester begins

VIDEO NATION
What will it take to win?

NATION CONVERSATIONS
How to leave Iraq

Slow Food for Thought

"Come to the Table" was the motto of Slow Food Nation '08, and over the Labor Day weekend roughly 60,000 people heeded the call, gathering in San Francisco to eat organic food, meet local farmers and listen to panel discussions about the future of sustainable agriculture. The plaza in front of City Hall was transformed into a fruit and vegetable garden flanked by an outdoor market. An exhibition space at Fort Mason, near the waterfront, featured "taste pavilions" with artisanal foods and meals prepared by well-known chefs. Measured solely by attendance, the first get-together of this kind in the United States was an unqualified success. The crowds were large, the lines were long and almost all the events were sold out. The food and the weather were terrific. Among the many vegans and carnivores, the cheese lovers, wine connoisseurs, raw milk advocates, biodynamic farmers, locavores and chocolatiers, a consensus emerged that what had previously been considered a slogan—"slow food"—was now a genuine social movement. Largely missing, however, was a group of people who will ultimately determine whether this movement gains importance beyond the Bay Area: the workers who harvest, process and serve the food we eat.

COMMENT

The idea of slow food has its origins in the Northern Italian counterculture of the 1970s. While American hippies were forming communes and going back to the land, some of their socialist counterparts in Italy were embracing the traditional music, food and agriculture of life in the rural Piedmont region. Carlo Petrini, a brilliant and charismatic journalist, became the leading spokesman for the notion that there is nothing contradictory about championing pleasure and working for change. After staging a protest at a new McDonald's near Rome's Spanish Steps, Petrini and his allies issued a Slow Food Manifesto in 1987. "We are enslaved by speed," it declared, "and have all succumbed to the same insidious virus: Fast Life." Two years later, the manifesto was endorsed by delegates from fifteen countries, as the destructiveness of a mechanized, industrialized food system became increasingly clear. Today, Slow Food International has about 85,000 members in more than 100 countries.

At the heart of Petrini's Slow Food philosophy is a set of fundamental values that aim to distance its celebration of pleasure from mindless decadence. According to the Slow Food trinity, food must be "good, clean, and fair." The "good" refers to taste; the "clean," to local, organic, sustainable means of production; and "fair," to a system committed to social justice.

I never made it into any of the taste pavilions at Slow Food Nation, where the ideal of "good" was amply represented. During panel discussions billed as "Food for Thought," the movement's leading writers and intellectuals discussed the harms that modern agriculture is imposing on the world. Patrick Holden, who heads the largest organics group in Britain, warned that the coming shortage of fossil fuels would consign industrial agriculture to the dustbin of history. According to Holden, ten calories of fossil fuel energy are now required to produce each calorie of food. The rising prices of basic inputs—such as the natural gas necessary to produce fertilizers, the petroleum that allows long-distance trucking of livestock, the jet fuel that brings strawberries from New Zealand—will force a return to more traditional farm-

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ing methods. Vandana Shiva, a passionate defender of India's small farmers and opponent of genetically modified foods, argued that free trade was actually "forced trade," imposing the needs of multinational agribusiness upon Third World economies. And Michael Pollan, author, most recently, of *In Defense of Food*, explained how the latest US farm bill is really a "food bill," providing subsidies to the manufacture of unhealthy, processed foods while maintaining high prices for healthy foods such as fruits and vegetables. Most panelists, including myself, signed an admirable twelve-point Declaration for Healthy Food and Agriculture.

The handful of labor activists at the gathering put the larger, theoretical critiques in the right perspective. José Padilla, executive director of California Rural Legal Assistance, displayed four photographs of farmworker housing in San Diego County—wooden shacks draped with plastic garbage bags. He read the names of farmworkers who have died on the job this year from heatstroke. And he gave a grim account of routine sexual harassment in the fields. Greg Asbed and Lucas Benitez, representing the Coalition of Immokalee Workers, described some of the terrible conditions in Florida agriculture, challenging the audience to care as much about human rights as they already seemed to care about animal rights. And at a sparsely attended session far from the crowds in the main auditorium, Saru Jayaraman, co-director of the Restaurant Opportunities Centers United, made an eloquent plea on behalf of the 13 million restaurant workers in the United States. Jayaraman spoke about workers who could never hope to afford the meals they prepare and serve, who toil long hours for low wages, who rarely get sick pay or vacations.

Legendary chef Alice Waters has for years been the driving force behind Slow Food USA. In addition to having remarkably good taste, Waters has a passion for social justice deeply embedded in her bones. While other famous chefs have used their names to promote frozen dinners, open restaurant outlets in airports and build gourmet empires, she has focused her energy on bringing nutritional education and healthy food to children in America's public schools.

The first Slow Food Nation partly fulfilled Waters's broad agenda. It earned high marks for the good and the clean but next time could do a hell of a lot better with the fair. At the moment, the majority of Americans—ordinary working people, the poor, people of color—do not have a seat at this table. The movement for sustainable agriculture has to reckon with the simple fact that it will never be sustainable without these people. Indeed, without them it runs the risk of degenerating into a hedonistic narcissism for the few. Wendell Berry—the great poet and novelist whose book *The Unsettling of America*, more than any other, inspired the current assault on the fast food mentality—says that "eating is an agricultural act." That means we are all co-producers, choosing a certain set of values with every bite. Does it matter whether an heirloom tomato is local and organic if it was harvested with slave labor? That was the question I asked the audience at Slow Food Nation. The answer is obvious, and it's one that this movement needs to address. ERIC SCHLOSSER

Eric Schlosser is the author of the bestseller Fast Food Nation: The Dark Side of the All-American Meal *and* Reefer Madness.

Revisiting New Orleans

Facing warmer oceans, more frequent hurricanes, dubious levees and depleted wetlands, New Orleans depends more than ever on the changing winds of weather and politics. Yet even though this year marks the first presidential election since more than 80 percent of the city went underwater, it took Gustav to make Katrina a campaign issue.

The Katrina disaster and recovery earned just glancing mentions in the prime-time speeches at the Democratic National Convention in Denver. The Republican convention was retooled in Gustav's wake, but had the hurricane fizzled the Republicans would certainly have accorded Katrina even less attention than the Democrats. John McCain repeatedly sets himself apart from George W. Bush's handling of the tragedy, yet three years ago he was a mirror image of the detached Presi-

COMMENT

Noted.

LIPSTICK SMEARED: **Sarah Palin** likes to describe herself as a pit bull with lipstick. But in St. Paul, that lipstick was used to cover her uneasy rollout. Republicans went from shocked to ebullient to anxious about Palin in the span of a few days. The base loves her, but the professional operatives aren't so sure. **Matt Dowd**, George W. Bush's former top strategist, summarized the reaction thus: "Is McCain out of his mind?" Even **Karl Rove** called the selection "not a governing decision but a campaign decision." Still, despite Palin's scant foreign policy experience and multiplying scandals, most prominent Republicans did their best to put a positive spin on McCain's VP pick. Few had met or worked with her before, but those who had offered rousing endorsements. "She will be a great soulmate for John McCain in the stand against all evil in this world," said Georgia Governor **Sonny Perdue**, who served with Palin in the Republican Governors Association. "I'm concerned about the debate between Senator Biden and Sarah Palin," Perdue continued. "I'm concerned she'll knock his lights out." ARI BERMAN

RNC REBELS: The arrests of **Democracy Now!** host **Amy Goodman** and two producers from her show, as well as an Associated Press photographer, on the first day of the Republican convention (along with reports that journalists were pepper-sprayed) highlight the need for host cities to strike a balance between security and liberty. Conventions ought to celebrate democracy. Instead, they have become hyper-controlled events where the First Amendment is caged in a "protest pit" and reporters who speak truth to power get locked up. That's un-American. JOHN NICHOLS

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Calvin Trillin, Deadline Poet

Two Views of Hurricane Gustav And the Republicans

1. Disturbing Thought

Coordination happened in advance.
Bush skipped St. Paul, was near the storm's huge eye.
Katrina showed the White House crowd as clowns.
With Gustav they were given one more try.

We're all relieved that they've improved their act
(And Gustav weakened as it came onshore.)
The implication, though, is rather fraught:
Will they now try to start a better war?

2. Conspiracy Theory

They had to ask the President to speak,
Though his approval ratings were so weak
Republicans all whispered in the hall,
"Could he just find some way to skip St. Paul?"
Then, just before the party was to start,
They came up with a course that they could chart.
They telephoned Pat Robertson to say,
"Ask God to send a hurricane today."

dent. A now infamous photo—still located on the White House website—shows the two men celebrating McCain's birthday as people in New Orleans were fighting their way out of attics.

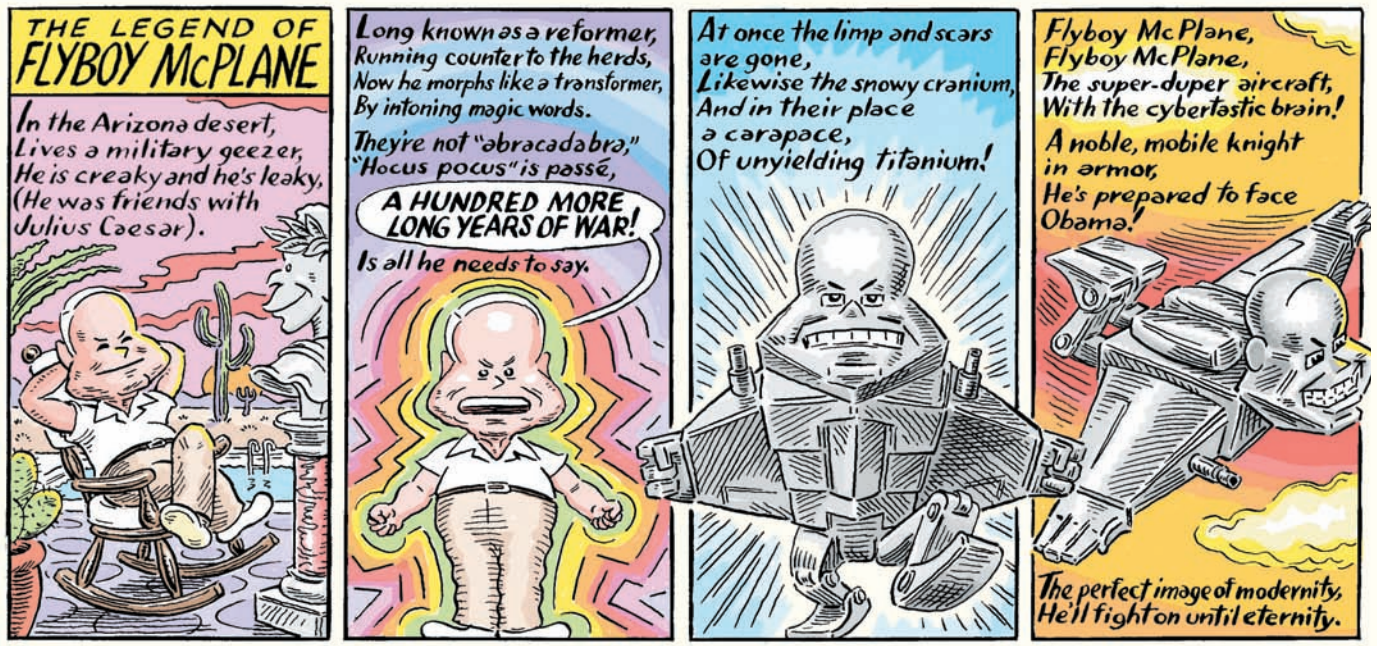
Furthermore, McCain's words often collide with his actions—and sometimes with each other. He told reporters he wanted to revisit the conversation about the fate of the Lower Ninth Ward: "Rebuild it, tear it down, you know, whatever it is." Shortly thereafter he said he didn't remember making those remarks and that it was "inspiring" to witness the rebuilding of the Lower Ninth. Also, FactCheck.org notes that McCain told a New Orleans reporter that he "supported every investigation" into government missteps during Katrina, when in fact he twice voted against establishing a commission—while none other than Joe Lieberman was accusing the White House of thwarting the Senate's efforts.

On some key issues for New Orleans both McCain and Barack Obama get middling marks. Neither has signed on to the New Orleans advocacy group Levees.org's call for an independent commission to determine just how the levees failed. "Neither candidate had heretofore—as far as I could see—made any statements of commitment to protect the coast with any real specifics, any real teeth," says Levees.org founder Sandy Rosenthal. Both candidates have stated their general support for levees that protect against a hundred-year storm, as well as an entire flood protection system—including levees and wetlands—that offers protection against a Category 5 hurricane. Obama's promise is part of a five-page Gulf Coast position paper available on his website. Neither has been specific about the cost or how to pay for it. McCain has come closest, says *Rising Tide* author and outspoken wetlands advocate John Barry. Following Louisiana Governor Bobby Jindal's estimation that it would cost "tens of billions of dollars," McCain replied, "To protect the lives of American citizens, we can always find the money."

(*continued on page 24*)

Comix Nation

by ROBERT GROSSMAN


THE LEGEND OF FLYBOY McPLANE
In the Arizona desert,
Lives a military geezer,
He is creaky and he's leaky,
(He was friends with Julius Caesar).
Long known as a reformer,
Running counter to the herds,
Now he morphs like a transformer,
By intoning magic words.
They're not "abracadabra,"
"Hocus pocus" is passé,
A HUNDRED MORE LONG YEARS OF WAR!
Is all he needs to say.
At once the limp and scars are gone,
Likewise the snowy cranium,
And in their place a carapace,
Of unyielding titanium!
Flyboy McPlane,
Flyboy McPlane,
The super-duper aircraft,
With the cybertastic brain!
A noble, mobile knight in armor,
He's prepared to face Obama!
The perfect image of modernity,
He'll fight on until eternity.

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If foreign oil has us over a barrel now, what happens when our population increases by another 100 million?

As rising fuel prices put renewed pressure on family budgets, many worry price increases will continue. Some recall the mile-long gas lines years ago when Americans had to compete for a share of dwindling energy supplies. With America's population at a record 300 million today, supplies are again tight in spite of record high prices. And the U.S. Census Bureau projects that another 110 million people will be added to our population between 2000 and 2040*. What will happen to energy prices then? Not to mention food and other resources. Fortunately, there is some hope. Americans are already consuming less. Alternative fuel sources are now being vigorously pursued. And another major leap in population is avoidable if we all work together. According to the Pew Hispanic Research Center, 82% of America's projected population increase between 2005 and 2050 will result from immigration. If we can continue reducing our energy consumption, begin leveraging alternative fuels and agree on a reasonable plan to reduce immigration, we may be able to reduce the threat of even higher prices tomorrow. Aren't we all tired of foreign interests having us over a barrel?

America's Leadership Team for Long Range Population-Immigration-Resource Planning

300 million people today, 400 million in just 30 years. Think about it.

American Immigration Control Foundation **www.aicfoundation.com**	Californians for Population Stabilization **www.capsweb.org**	Federation for American Immigration Reform **www.fairus.org**	NumbersUSA **www.numbersusa.org**	Social Contract Press **www.thesocialcontract.com**

*Based on U.S. Census Bureau projection, 2004

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Eric Alterman

The Times, They Have A-Changed

I make my living as a seasoned cynic when it comes to politics, so I've been more than a little reluctant to go on record with how moving, inspiring and, damn it, thrilling I found Barack Obama's convention speech. I spent much of the weekend trying to calculate the damage I'd be doing to my reputation were I to come clean on how patriotic I felt during those forty minutes at Invesco Field until Sunday morning, when I woke up to a David Broder column that left me no choice. As if watching the speech from an alternate universe, the "dean" of Beltway reporters complained that Obama's "jibes at John McCain and George Bush were standard-issue Democratic fare, and his recital of a long list of domestic promises could have been delivered by any Democratic nominee from Walter Mondale to John Kerry. There was no theme music to the speech and really no phrase or sentence that is likely to linger in the memory…. Al Gore, the famously wooden former vice president, gave a more lively and convincing speech than Obama did."

Good God, man. Even Pat Buchanan, whose fear of a liberal President is rivaled only by his nostalgia for the good old days of Joe McCarthy, called the speech "the greatest convention speech…[one that] came out of the heart of America and…went right at the heart of America." To be fair, Broder, at 78, is six years older even than McCain. But old age is not his problem; brain death is. Broder complained in 1967 when antiwar forces in the Democratic Party opposed Lyndon Johnson. Not long after, he complained about challenges to Richard Nixon's illegal expansion of that war, and when it came time to hold Ronald Reagan accountable for Iran/*contra*, he opposed that too. Broder thought Clinton's blowjobs were worse than Watergate. Eight years ago he lauded Bush's acceptance speech as having "contained almost everything good political rhetoric can provide" and positively kvelled over Bush's choice of Dick Cheney as Vice President, saying it was evidence of his "sense of responsibility."

Contrary to his pretense above, however, Broder also demonstrated no patience for Gore's 2000 convention speech either, what with its "crammed agenda" and attempt to exploit "the hoariest of Democratic arguments: Don't let Republicans take your Social Security away." (Who'da thunk it?) And just like the mighty Allman Brothers Band, Broder's road goes on forever. Last year, ten days before predicting Bush to be "poised for a political comeback," he chastised Wesley Clark because he "repeatedly invoked the West Point motto of 'Duty, Honor, Country,'" thereby "forgetting that few in this particular [Democratic] audience have much experience with, or sympathy for, the military." Meanwhile, "by picking Palin," the dean says, "McCain has strengthened his reputation not as an ideologue, not as a partisan, but as a reformer—ready to shake up Washington as his hero, Teddy Roosevelt, once did."

I dwell on Broder not because he's so influential but because he's so representative. A Pulitzer Prize–winner, he was chosen as the Best Newspaper Political Reporter by the *Washington Journalism Review* and ranked as "Washington's most highly regarded columnist" by editorial page editors and members of Congress in a *Washingtonian* magazine survey. Thomas Kunkel, until recently dean of the University of Maryland's journalism school and a fine fellow in every way, described Broder as the nation's "most respected political journalist."

The upshot here is that nothing short of a divine thunderbolt will get through to these people. They were wrong about Vietnam, wrong about Reagan, wrong about Clinton, wrong about Gore, wrong about Bush, wrong about Iraq, wrong about McCain, wrong about Obama, wrong about everything important to the political life of the country. And they were not only wrong; they were, and remain, *proud* of being wrong. Remember Richard Cohen on Iraq? "You and your kind were wrong to be right; we were right to be wrong," he said. (Cohen—who, coincidentally, was also wrong about Clinton, Gore, Bush, Iraq, McCain and Obama—was quoting a French ex-Stalinist approvingly in that statement, thereby laying bare the similarities among power-worshiping courtiers across time, space and ideology.)

It is this mind-set that stands like a dike before the Obama change agenda, a mind-set that finds no significance in the sight of a middle-class white woman from North Carolina standing before 80,000 people and countless millions on TV and the Internet proclaiming her allegiance to a biracial man for the presidency just five decades after he might have been lynched for looking at her funny.

Instead of focusing on the astonishing power of the historical moment—evidenced in thousands of ways during this extraordinary convention—the media obsessed about dramas of their own making. Tiny, clownlike clusters of Hillary hardliners—people with the political judgment of Naderite nudniks and even less intellectual coherence—got more coverage than the nearly 80 percent of Democrats who told pollsters they support their nominee. (Obama's support from his party is higher than was Gore's or John Kerry's at the same point in their candidacies, but you'd never know that from the coverage.)

From where I stood, the Democratic convention was a smashing success. As I like to think I prove in *Why We're Liberals: A Political Handbook for Post-Bush America*, the liberal wing of the Democratic Party, which powered Obama's nomination victory, is the de facto supermajoritarian party of mainstream America. Not since FDR's second inaugural have so many Americans had the chance to hear the case for our better angels made with such power, grace and dignity by someone with the ability (God willing) to make it happen. If I'm not kidding myself, a mighty metaphorical flood is a-coming this November. And the mentally moribund members of the Beltway establishment had better start swimming or they'll sink like a stone. ■

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Naomi Klein

New Orleans: The City That Won't Be Ignored

The early results are in: Hurricane Gustav has helped John McCain's bid for the White House. This is nothing short of incredible.

In the combination of New Orleans and hurricanes, we have the most powerful argument possible for the necessity of "change." It's all there: gaping inequality, deep racism, crumbling public infrastructure, global warming, rampant corruption, the Blackwater-ization of the public sector. And none of it is in the past tense. In New Orleans whole neighborhoods have gone to seed, Charity Hospital remains shuttered, public housing has been deliberately destroyed—and the levee system is still far from repaired.

Gustav should have been political rat poison for the Republicans, no matter how well it was managed. Yet, as Peter Baker noted in the *New York Times*, "rather than run away from the hurricane and its political risks, Mr. McCain ran toward it." If this strategy worked, it was at least partly because Barack Obama has been running away from New Orleans for his entire campaign.

Unlike John Edwards, who started and ended his nomination bid surrounded by the decay of New Orleans's Ninth Ward, Obama has shied away from the powerful symbolism the city offers. He waited almost a year after Hurricane Katrina to visit New Orleans and spent just half a day there ahead of the Louisiana primary. During the Democratic National Convention, Michelle Obama, Hillary Clinton and Joe Biden made no mention of New Orleans in their keynotes. Bill Clinton spared just two words: "Katrina and cronyism."

In his Denver speech, Obama did invoke a government "that sits on its hands while a major American city drowns before our eyes." But that only scratches the surface of what happened to New Orleans's poorest residents, who were first forcibly relocated and then forced to watch from afar as their homes, schools and hospitals were stolen. As Obama spoke in Denver, families in New Orleans were already packing their bags in anticipation of Gustav, steeling themselves for yet another evacuation. They heard not even a perfunctory "our thoughts and prayers are with you" from the Democratic candidate for President.

There are plenty of political reasons for this, of course. Obama's campaign is pitching itself to the middle class, not the class of discarded people New Orleans represents. The problem is that by remaining virtually silent about the most dramatic domestic outrage in modern US history, Obama created a political vacuum. When Gustav hit, all McCain needed to do to fill it was show up. Sure, it was cynical for McCain to claim the hurricane zone as a campaign backdrop. But it was Obama who left that potent terrain as vacant as a lot in the Lower Ninth Ward.

Until now, Obama's supporters have largely accepted the campaign's assessment of the compromises necessary to win, offering only gentle prodding. The fact that the Republicans have managed to turn New Orleans to their advantage should put a decisive end to this blind obedience.

Republicans have a better attitude toward their candidate. When they don't like McCain's positions, they simply change them. Take the hottest-button issue of the campaign: offshore oil drilling. Just four months ago, it was not even on the radar. During the Republican primary, the issue barely came up, and when it did, McCain did not support it. None of this bothered former House Speaker Newt Gingrich and his newly minted American Solutions for Winning the Future. Gingrich waited patiently for what his party loves most: a crisis. It arrived in May, when oil approached $130 a barrel. First came a petition to lower gas prices by opening up domestic drilling (nonsense). Next was a poll, packed with laughably leading questions: "Some people have suggested that, to combat the rising cost of energy and reduce dependence on foreign energy sources, the United States should use more of its own domestic energy reserves, including the oil and coal it already has here in the United States. Do you support or oppose this idea?" You can guess what people said. Two weeks later, McCain flipped on offshore oil drilling.

There was always a risk attached to making offshore drilling the centerpiece of the McCain campaign, since it is not nearly as safe as its advocates claim. Environmentalists have been trying to point this out, but nothing makes the case quite as forcefully as a Category 5 hurricane rocking oil platforms in the Gulf of Mexico, forcing evacuations and raising the specter of a serious spill.

Gustav was one of those rare moments when political arguments are made by reality, not rhetoric. It was the time to simply point and say: "This is why we oppose more drilling." It was also the time to recall that during Hurricanes Katrina and Rita, the official Minerals Management Service report found more than 100 accidents leading to a total of 743,400 gallons of oil spilled throughout the region. To put that figure in perspective, 100,000 gallons is classified as a "major spill." If one is feeling particularly bold, a Category 5 hurricane is also an opportune time to mention that scientists see a link between heavier storms and warming ocean temperatures—warmed in part by the fossil fuels being extracted from those fallible platforms.

Obama was not able to make these kinds of arguments when Gustav hit. That's because his campaign had made another "strategic" decision: to compromise on offshore oil drilling. Again a vacuum that had been opened up was rapidly filled by the Republicans, who instantly (and absurdly) linked the hurricane to the need for "energy security." The morning after Gustav made landfall, Bush called for more drilling. Earlier, McCain had visited the hurricane zone with his new running mate, Sarah Palin, whose sole prior claim to national fame was telling cable shows that "we need to drill, drill, drill."

In moments of crisis, it is possible to speak hard truths with great force and clarity. But when the truth has gone silent, lies, boldly told, work almost as well. ■

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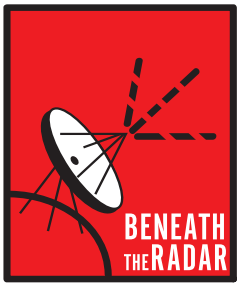
Gary Younge

Sarah Palin's Shotgun Politics

Let's hear it for Bristol Palin. The pregnant 17-year-old daughter of John McCain's vice presidential pick, Sarah Palin, is going to have her baby and marry her beau, Levi Johnston. That's a brave move, and she deserves all the support she can get. It looks like she'll need it. Her 18-year-old husband-to-be describes himself as a "fuckin' redneck." His MySpace page (which has since been taken down) said he is in a relationship and doesn't want kids. Bristol's mom and dad, we are told, are delighted. We know because they issued a statement. "We're proud of Bristol's decision to have her baby and even prouder to become grandparents." Good for them. Now they would like us to talk about something else. "We ask the media to respect our daughter and Levi's privacy," they said. Not so fast.

The fact is, Bristol could make the decision to keep the baby only because, in legal terms at least, she had a choice. A choice, as it happens, that her mother wants to criminalize. Contrary to popular wisdom, the decisive issue in Sarah Palin's vice presidential nomination was not her gender but her views on abortion. Had she not been antichoice she never would have made it onto the ticket. The principal objection to McCain's purported favorites for the job—Joseph Lieberman and Tom Ridge—was that they support abortion rights. The woman who would like us to keep her daughter's pregnancy a private matter is running for office so that she can make the pregnancies of other people's daughters an affair of the state.



There is precious little to gloat about here. It is depressing how quickly attacks on Palin and her family descend into misogyny, as was the case with Hillary Clinton. Speculation as to how Palin could possibly balance her responsibilities as a mother of five with the vice presidency, or whether her daughter "strayed" because her mother was too preoccupied with work, is inappropriate and offensive. McCain has seven children—two of whom are older than Sarah Palin—and those questions are never asked about him. Bristol Palin is not fair game.

But that does not mean that her pregnancy is not worthy of comment, for two reasons. First, as a public official her mother has embraced positions that would deny others the options her daughter has enjoyed, would deny access to information about preventing unplanned pregnancies and deny support for those in a similar situation. In Alaska, she opposed programs that teach teenagers about contraception and slashed funding for a shelter for teenage mothers. Meanwhile, her running mate has voted to increase funding for abstinence-only education and to terminate the federal family-planning program, and he voted against funding teen-pregnancy-prevention programs. He has also voted to require teenagers seeking birth control at federally funded clinics to obtain parental consent. Unfortunately for Bristol, her mother's public positions make her personal predicament a teachable moment.

Second, Palin decided to showcase her personal life, and particularly her motherhood, as a centerpiece of her candidacy. McCain introduced her to the country in Dayton, Ohio, as "someone who grew up in a decent, hard-working middle-class family." He went on to say, "I am especially proud to say in the week we celebrate the anniversary of women's suffrage, [she is a] devoted wife and mother of five," as though you should see being married and giving birth to a slew of kids as somehow connected to having the vote. Palin then took time to introduce "four out of five" of her "blessings" (including Bristol) and herself as a "hockey mom" and the "mother of one of those troops" fighting in Iraq.

If she doesn't want her children in the line of fire, she shouldn't introduce them to the battlefield or use her parenting as a weapon. That goes for Barack Obama, John McCain and Joe Biden as well.

When news of Bristol's pregnancy broke, Obama said, "I think people's families are off limits. I think people's children are especially off limits. This shouldn't be part of our politics. It has no relevance to Governor Palin's performance as governor or her potential performance as a Vice President."

Mostly true and fair enough (one shudders to think what the right wing would make of it if the Obama girls were to find themselves in a similar situation ten years from now). But if family and children are off limits, then do us all a favor and keep them the hell off the stage and away from the microphones. Public office seems to be the only career for which people think it is not only acceptable but necessary to interview the spouse and view the brood for the job. The notion that Americans might elect someone single, let alone gay, to the presidency seems far less likely than the chances of electing a black man or a white woman. And so we are force-fed this hetero-fest with tales of first dates and familial bliss and then asked to look the other way when the facade cracks. If politicians really don't want the public to examine their families, they should follow a new code: don't tell, then we won't have to ask.

In the meantime, the party of abstinence-only programs did not miss a beat as it stepped up to suffocate Bristol in its embrace. After all, she is having the child and getting married. Only the timing is off. "Now she's a typical American family," Kris Bowen, an alternate delegate from Indiana, told the *New York Times*, referring to Palin. "On an individual level, every single person is thinking, 'Oh my gosh, that has happened to me or someone I know or I'm afraid it will.'" It is heartening to know that under all of those vile policies there lies some human compassion. But that does not make the policies any less vile or their consequences any less dire. That Bristol's situation should become national news is unfortunate. She is not the first 17-year-old to have to make this kind of decision. But if her mom has her way, she could be one of the last. ■

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ISRAEL AT 60: THE STATE OF THE STATE

Israeli writers and intellectuals engage in a discourse about their nation and its problems that is far richer, more nuanced and grounded in reality than that of their American counterparts.

by ERIC ALTERMAN

The sixtieth anniversary of the founding of the State of Israel was the occasion of parades, philanthropic dinners, celebratory articles and festive events here in the United States, but in Israel the mood was pensive and somber. Israelis did not ignore the milestone, but many called for restraint in marking it. An online petition demanding official frugality for the celebration received more than 90,000 signatures. With a series of corrupt leaders, little hope for lasting peace and the increasing nightmarish possibility of an "Islamic" nuclear weapon making its way into the hands of someone in Tehran who just might use it, Israelis, as pundit after pundit pointedly observed, were in no mood to celebrate.

It has long been the case that Israeli writers and intellectuals engage in a discourse about their nation and its problems that is far richer, more nuanced and grounded in reality than that of their American counterparts. As Barack Obama bravely told a Jewish gathering in Cleveland during the Democratic primary season, he was "struck" while visiting Israel by "how much more open the debate was around these issues in Israel than they are sometimes here in the United States." The contrast between Israeli pensiveness and American cheerleading puts one in mind of an early-twentieth-century remark by one of Zionism's founding philosophers, A.D. Gordon. "We don't have to check the pulse of our nationalism," Gordon said, speaking of the Jews who lived in Palestine. It is, after all, a country full of Jews, as Philip Roth's Portnoy marveled thirty-nine years ago. "Jews eating ices, Jews drinking soda pop, Jews conversing, laughing, walking together arm-in-arm…a sea full of Jews! Frolicking, gamboling Jews!" And they all speak a language that was considered dead for, well, I don't know, a thousand or so years. Even the Arabs speak Hebrew. It's a moving miracle to these eyes and ears today, I have to say, much as it must have been back then.

For reasons I cannot fully explain even to myself, despite an intense feeling of engagement with Israelis and their problems and a constant reading of the Israeli press, Israeli novelists and the global press about Israel, I had not visited there in roughly twenty years until I arrived in the late spring of this year. I was eager to get in touch with the people I had known in the past—including those I had studied under at Tel Aviv University nearly thirty years ago—as well as those I have been reading regularly for the past decades. I wanted to see how they assessed Zionism's successes and failures over the past six decades outside the narrowly restrictive and conflict-focused coverage of our own media. Because most American reporters in Israel live and work in Jerusalem, and their focus is usually on issues related to the Palestinian conflict, terrorism and security, one tends to forget that the country is engaged in much more than a destructive and sometimes brutal occupation, on the one hand, and a fight for survival amid a sea of largely hostile neighbors, on the other.

My biggest shock upon landing at Ben-Gurion Airport, outside Tel Aviv, was to find that Israel is a different country from the one I knew and that lives on in popular mythology. Its population has nearly doubled, thanks in part to the immigration (and largely successful integration) of nearly a million Russian and other Eastern European Jews. This population surge, moreover, has corresponded with an economic and cultural transformation that has turned Israel into the equivalent of a small successful European nation with a per capita income approaching $30,000. Tel Aviv is filled with shiny new skyscrapers, shopping malls, pricey boutiques and expensive, decidedly nonkosher gourmet eateries—all of which are packed, by the way, on Friday night, when religious Jews are supposed to be in synagogue or

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at home enjoying a Sabbath meal. Israel's cultural and artistic flowering is no less impressive. National museums are participating in a nationwide exhibition of sixty years of Israeli art, which frequently manages to be politically provocative and true to the confusing cultural and physical terrain of this quite young nation. (Remember, Israel is twelve years younger than John McCain.) Galleries are everywhere, and the theater and film industries are thriving. With its hedonistic beaches and Bauhaus architecture, Tel Aviv feels like a Hebrew-speaking Barcelona.

Israel's multicultural moment was nicely embodied for me at a party at the home of Israeli pop star David Broza. Gathered around a feast of grilled shrimp and steaks, dozens of musicians, dancers, choreographers, artists and the like from a dozen or so different counties chatted in Hebrew with one another and then sat down to sing. And what did they pick? Led by Zahi, who, I later learned, is of Yemenite origin, and Beto, who is from Brazil, they launched into a folky-acoustic version of Blackstreet's "No Diggity" (I had to Google the chorus, as I was apparently the only one in the room who didn't know the song). Believe me, no one danced the hora.

The new high-tech, globalized Israel is profoundly different from that built on the foundations of a Spartan collectivist culture of Labor Zionism, with its reification of the anti-individualistic ideology of the kibbutz and the hardscrabble agricultural life. As Aluf Benn, diplomatic editor of *Ha'aretz*, explains to me, this new nation "is the project of the second generation. My parents took part in the nation-building. My grandparents were pioneers. Our generation traveled abroad, we saw a better standard of living, better services, lower taxes on imports. We were fed up with the socialists' way of thinking." Adds Nissim Calderon, a literary critic and professor at Ben-Gurion University of the Negev, "We are no longer a country of self-sacrificing pioneers."

Benn points out that while the Olso agreements have been widely condemned as a failure by most Israelis (and Americans), they played perhaps the key role in inspiring Israel's economic and cultural renaissance. Nation after nation opened up diplomatic and commercial relations with Israel during the peace talks and almost none closed them down after Oslo's failure. The Arab economic boycott withered away. Israelis saw their opportunity and ran with it. Under the hyper-laissez-faire ideologies of Benjamin Netanyahu, Israel shed most of its state-owned industries and pension funds, creating many multi-millionaires in the process. This—just as the capitalist textbooks say it should—unleashed a wealth-creating entrepreneurial spirit that has resulted in a far more vibrant (and unequal) economy as well as a decline in the level of services the socialist state had previously provided.

Naturally the transformation rankles some older Israelis. Veteran filmmaker Amos Gitai, who left the country for Europe in disgust in the 1980s but returned when Yitzhak Rabin came to power and tried to negotiate a peace deal, asks, "Do you need—in order to survive in this region—a shining egalitarian nation or can it just be a Western individualized society?" Answering his own question: "You cannot preserve an idea longer than the idea can survive in reality."

A related transformation in Israel has been the splintering of its once strongly defined national identity. Increasingly influential are the *Haredi*—Orthodox Jews who purposely restrict themselves to their own enclaves within society, do not serve in the army and in many cases do not accept the legitimacy of the state. Owing to their savvy exploitation of Israel's proportional-representation voting system, however, they are able to ensure a generous flow of funds into their schools and social programs. Many Israelis resent this—as well as the capricious control the *Haredi* exercise over the state's marriage and divorce laws—but they are powerless to prevent it. The million or so Russians who came to Israel after the collapse of the Soviet Union have also helped transform the country. They, too, have chosen to retain their own language and culture and to act as a voting bloc rather than embrace the notion of an Israeli melting pot. And when you consider that a fifth of the population are Arabs, with their own school systems and the like, it becomes harder to conceive, much less speak, of a single Israel. What others call a "nation of tribes," the Tel Aviv University historian Anita Shapira, who received the Israel Prize in 2008, terms a "sectoral society." "We have superstition and high-tech living side by side. You can come across reverence of cameos, tombs of 'holy men,' and in the same neighborhood high-tech incubators, gourmet restaurants, and boutique wineries."

The new high-tech, globalized Israel is profoundly different from that built on the foundations of a Spartan collectivist culture of Labor Zionism.

It's not only the lost commitment to egalitarianism and inspiring myths that evoke nostalgia among Israeli liberal intellectuals for what is now called "Little Israel" or for the nation that existed before the 1967 war led to the occupation of the West Bank and (until recently) Gaza; Israel is experiencing a profound crisis in leadership. The current—accidental—prime minister, Ehud Olmert, is accused of receiving over a thirteen-year period more than $100,000 in cash from Morris Talansky, a right-wing Long Island financier, to fund his luxurious lifestyle, and also of double- and triple-billing state and charitable agencies, including children's charities and the Yad Vashem Holocaust memorial, for the same airline flights when he was mayor of Jerusalem and a government minister. Israel's previous prime minister, Ariel Sharon, was also embroiled in multiple corruption investigations, and ex-president Moshe Katsav was accused of multiple rapes and sexual harassment of subordinates before stepping down to be replaced by the perennial election loser, Shimon Peres. In addition, the past year has seen a finance minister indicted for massive embezzlement and a vice premier found guilty of forcing his tongue into the mouth of a female

Eric Alterman, CUNY Distinguished Professor of English and Journalism at Brooklyn College and the CUNY Graduate School of Journalism, is a senior fellow at the Center for American Progress and Media Matters for America. His most recent book is Why We're Liberals: A Political Handbook for Post-Bush America. *He is a* Nation *columnist and Nation Institute fellow.*

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soldier. To make matters worse, no leaders appear to be emerging to replace them. The coming elections are expected to pit the favorite, former failed Prime Minister Netanyahu, on the right against former failed Prime Minister Ehud Barak on the left, while the candidate of the Sharon/Olmert centrist party, now in power, will be determined by a primary between Foreign Minister Tzipi Livni, the daughter of an extremist minister, and Shaul Mofaz, the hardline transportation minister. "We have no pool of leaders we have not touched," notes Benn.

Itamar Rabinovich, a Baath scholar who oversaw Israeli negotiations with Syria and was Rabin's US Ambassador, and who recently stepped down as president of Tel Aviv University, gave the nation's initial leaders—particularly its first prime minister, David Ben-Gurion—high marks during the 1948–67 period for their initial willingness to accept the UN partition lines of 1947; their successful prosecution of the War of Independence; their building of a nation of refugees from all over Europe and the Arab world following the horrors of the Holocaust; and their creation of a functioning, vibrant, multicultural and democratic society in the midst of countless hardships in a hostile corner of the world that had known only autocracy. "I can take you through a litany of dozens of mistakes and missed opportunities," he avers, yet from the perspective of sixty years, the balance sheet on Israel's early leaders is viewed quite positively today.

'During the first decades of statehood…the Israeli Arabs were not considered a priority.'
—Anita Shapira

Among their many mistakes, observes Anita Shapira, the most significant involved the treatment of Israel's Arab minority, who appear to have grown increasingly alienated from their (admittedly complex) identity as both Arabs and Israelis, and identified increasingly with their occupied Palestinian brethren. "During the first decades of statehood," she explains, "the major preoccupations were absorption of newcomers, keeping the economy afloat and, of course, security problems. The Israeli Arabs were not considered a priority. They were better off than before in an economic sense. But we did not invest as we should have in making them feel as equal citizens. This did not change much even twenty years after Independence." "The state, to put it bluntly," notes Zionism scholar (and another winner of this year's Israel Prize) Ze'ev Sternhell, "was created for Jews, not for Arabs, no question. There was no plan for expulsion but the idea of 'the fewer the better,' for sure."

Liberal Hebrew University theologian Moshe Halbertal says he thinks the State of Israel today has no more important responsibility than to make good on its promise to its Arab minority of legal and economic equality. "It is central," he says, "because the very justification of our national revival rests on three Jewish principles, that we grant the same right we are looking for to other nations, including the Palestinian nations. The redrawing of boundaries means you must give full rights to a minority." When I ask Halbertal why Israel has apparently failed this test in so many fashions, he explains it primarily as a political problem. "When Arabs stopped voting for Jewish parties in the middle of the '80s, Jewish parties had fewer and fewer reasons to court them. And then they decided they were not a minority but an occupied population, and so you could not form a coalition with them. So now they get very little. The *Haredi* population, which is also much despised, has done things quite differently."

Then, of course, there is the separate but related post-1967 problem of the Palestinians, the settlements and the occupation. I heard myriad views on this from Israelis I spoke with, but almost all of them said that they see a two-state solution as the only conceivable path toward not only long-term security and prosperity but also the preservation of Israel's democracy and its Jewish character. (Support among Israeli Jews for a single binational state of the kind Tony Judt proposed in *The New York Review of Books* not long ago is so small that calling it "marginal" would be to inflate it. As philosopher and author Avishai Margalit puts it, "a one-state solution is a recipe for Lebanon.") Sternhell says he'd rather live in Paris or New York than in a binational state. He insists that a two-state solution is the only solution that makes "Israel's existence meaningful as a state of the Jews in which the Arab minority would enjoy full and equal rights" and is therefore "the only way to keep the Jewish state alive."

Yet while the Israeli peace movement has finally convinced a broad consensus of Israelis that it is in Israel's interest to get the hell out of the West Bank as soon as possible, these same Israelis are no less convinced that they have no choice but to stay. Jerusalem-based author Bernard Avishai, borrowing from pundit Thomas Friedman, notes that Israel appears to have gotten itself "permanently pregnant with a stillborn Palestinian state in its belly." That former hardliners like Sharon, Olmert, Livni et al. have come to accept the need for withdrawal is a victory for the movement. They see, as Halbertal explains, that "the continuous control of the West Bank would not allow Israel simultaneously to be a democracy and to be a Jewish state." But "the tragedy of this," says Halbertal, "is that just at the moment Israelis realized this, the Palestinians turned to Hamas and turned Gaza into a base for radical Islam to launch attacks on us. So if the world is going to criticize us for this situation, they have to recognize that this is not our choice."

The increasing strength of Hamas, the weakness and corruption of Fatah, a rash of suicide bombings, the shelling of Israeli cities from Lebanon and hateful rhetoric emanating from so much of the Arab world have all but drained Israelis of their compassion and patience for the Palestinian "other." "Political Islam has undermined the appeal of the Palestinian plight in the West," Avishai Margalit explains. During the weeks I was in Israel, much of the country appeared obsessed with the negotiations with Hezbollah over the return of the bodies of two kidnapped Israeli soldiers. When the exchange finally occurred, Israel had agreed to release Samir Kuntar, who almost thirty years ago had carried out the brutal terrorist murder of an Israeli father and his young daughter (banging her head against a rock), along with four other prisoners and the remains of 199

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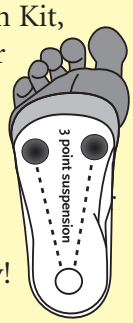

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others. The terrorist/child murderer was met with a hero's reception, including patriotic parades in Lebanon and victory proclamations issued by Hezbollah leader Sheik Hassan Nasrallah. Such scenes tell many Israelis all they believe they need to know about the possibilities of peace with the Arab world and clear their consciences about whatever misery the Palestinians are forced to endure in the name of preventing future attacks.

One might well respond that inhumane Israeli policies on the West Bank have helped fuel these and other unhappy developments. (As Margalit notes, "We put a million and a half people in jail.") One might add that Israel's coddling of the settlers—including settlements the government considers illegal and Israel has promised to uproot as part of its "road-map" agreement with the United States and the EU—appears to be destroying the possibility of an economically viable Palestinian state ever living peaceably alongside Israel.

The great Israeli novelist and Peace Now activist A.B. Yehoshua recently caused a stir when he wrote an op-ed for *La Stampa* in Turin, Italy—reprinted in Israel but not in the United States—calling on America to recall its ambassador to Israel as long as the practice of expanding the illegal settlements continues. (For instance, despite its promises, on June 1 Israel revealed plans to build 763 homes in Pisgat Zeev and 121 homes in Har Homa; two weeks later, a regional planning board approved construction of at least 2,550 homes in the West Bank and disputed parts of Jerusalem.) When I visited Yehoshua in his Haifa home, he explained that many longtime friends criticized this position—even Amos Oz disagreed—but Yehoshua replied, "If America loves us so much, they could help us to keep our promises.… It's like a father with a son and the son is taking drugs. I love him and I want to help him. But to help him, we have to break until he stops with the drugs."

The majority of Israelis oppose the expansion of the settlements and would be happy to see them demolished; however, they are in no mood to risk the kind of civil upheaval—possibly even Jew-on-Jew violence—necessary even to consider such a move on behalf of a peace process in which they have all but lost faith. Like many longtime liberals and leftists, Ruth Gavison, who helped create the Israeli Association for Civil Rights, finds herself less and less in sympathy with her former self. She explains her transition thus: "I came to see that many Arab organizations were using human rights rhetoric while not giving any weight to the rights of Jews. I came to understand the significance of the right of return in their rhetoric. And as I listened to their rhetoric, more and more, I became less convinced that the question of a Jewish state had indeed been resolved. Part of the struggle was still to delegitimate this state and undermine its right to exist." Peace Now has rarely enjoyed less resonance with the Israeli public than it does today. Menachem Brinker, professor of Hebrew literature, winner of a 2004 Israel Prize and a founder of Peace Now, tells me the organization has sworn off demonstrations for the time being, owing to low turnouts, and is focusing on documenting settler land grabs and abuses of the local population by settler fanatics.

Most Israelis would be happy to see the settlements demolished but don't want to risk the upheaval necessary to consider such a move.

Even in the event of a genuine agreement supported by majorities on both sides, the settlers present a daunting practical problem for Israelis. As political philosopher and former director-general of the Ministry of Foreign Affairs (and winner of the Israel Prize in 1996) Shlomo Avineri points out, "Very few Israelis on the center-left can answer the question of what to do with 250,000 settlers. We need not only politically correct slogans but also clear and specific ideas of how to implement them. I don't think there should be a single Jewish settler. But how in the world can they be resettled?" Avineri's pessimism on pragmatic grounds is reinforced by his understanding of the ideological forces at work in Palestinian society. "Ever since the 1920s," he observes, "the Palestinians have not produced a political leadership that has proven both responsive and responsible." Though he was an early supporter of a Palestinian state, Avineri notes that during his nearly half-century of engagement with the Palestinians, he has met perhaps one who was willing to recognize the legitimacy of Israel as a Jewish state: Al Quds University president and much-admired author Sari Nusseibeh. He says he has never met any who are willing to advise their brethren that, if only for pragmatic reasons, they must come to some sort of symbolic compromise on the Palestinian "right of return." And without these concessions, Avineri says, "there can be no real basis for negotiations."

Others in the peace camp do not take issue with Avineri's assessment but argue that to focus on ideology is to doom any hopes for peace. Naomi Chazan, an Israeli political scientist, feminist leader and former Knesset member, thinks his emphasis is misplaced. Over tea at the Ambassador Hotel in East Jerusalem, where she is sandwiching me between meetings with Palestinian officials and aid workers, she tells me she is no longer interested in discussing "what we have to hear" and would prefer to focus on "what needs to be done. I don't need a validation for our narrative," Chazan argues. "We are putting the onus on the Palestinians when it is the Zionist enterprise that is not going to survive without a two-state solution. We are bringing all our fears to the table when we are the dominant power. We act as if we are still in *galut* [exile]. When we wake up one day and realize there is only a one-state solution or a semi-sanctioned apartheid, nobody in the world is going to want to associate with us. And there are alternatives. But it is five minutes to midnight."

Margalit estimates that roughly 60 to 70 percent of Israelis and Palestinians would acquiesce to a peace deal if a strong, trusted leader—in the manner of Yitzhak Rabin or Ariel Sharon—would promise to guarantee and campaign for it. But he distinguishes between this largely passive population and the active opposition of the settlers and their supporters—to say nothing of those who would seek to derail the agreement with suicide bombings and the like. And as Avineri implies, the settler issue is not going anywhere. Indeed, most of the Israelis I interviewed think it will be necessary to work out a way for the hard-core settlers to remain where they are but be located inside

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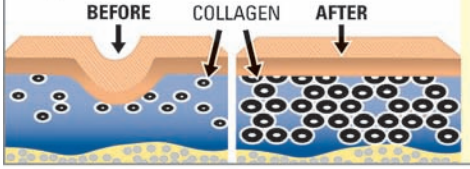

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Palestine. After all, if they are so attached to the land—rather than the state—let them stay on the land in another state. Yehoshua was particularly animated on this point. "If you will give the Palestinians the maximum amount of the territories but say to them, 'You will have to take 60,000 to 70,000 Israeli Jews as Palestinian citizens, and you can have your secular Palestinian state,' that would be a great outcome and could facilitate the transition. The American Jews will pour money on them, and this will benefit their economy." His hopes go so far as to plan for platoons of Israeli Arabs to protect the settlements inside Palestine to provide a "bridge" between the two nations, "knowing, as they do, the intimate codes of the two people." Yehoshua shares Chazan's view that if you strip the conflict of ideology and religion, it is solvable. "If they would get an honorable peace treaty, meaning part of Jerusalem, most of their territory and the integrity of their territory, I think the majority of them are ready."

As anyone who spends time speaking with Israelis cannot help realizing, Israel is a far more complex country than is portrayed in the American media. This complexity is one reason, Avineri notes, that Israelis are coming to resent what he believes is the "harm caused by [some] American Jewish organizations." He believes that Israel's "contentious political culture is totally lost when seen from the prism of advocacy, which presents Israel as a one-dimensional country, as if everything has to do with survival, attacks, counterattacks." What's more, he adds, "the shrillness on exhibit doesn't help. It does not enhance Israel in any way."

As anyone who spends time talking with Israelis cannot help but realize, Israel is a far more complex country than is portrayed in the US media.

The Israelis I spoke with were grateful for the fraternal support they receive from Jews around the world, particularly in the United States, but were nearly unanimous in their resentment—even condemnation—of what they see as the ignorant and malevolent meddling in their affairs by wealthy right-wing Americans like billionaire gambling magnate Sheldon Adelson, who is investing heavily in Netanyahu's career, and Morris Talansky, who was stuffing cash-filled envelopes into Ehud Olmert's pockets. The neoconservative hardliners in the US media and national security establishment who parrot this hard line are hardly more popular. Former ambassador Rabinovich explains that one of the problems he faced while trying to represent his country's government in Washington was that "the neocons were undermining our policy. Feith, Gaffney, etc. were trying to abort the policy of the government of Israel." AIPAC, Avineri adds, "is basically a right-wing lobby and a lobby for Likud—it is not a lobby 'for Israel.' After Oslo, it lobbied openly against an agreement signed by the Israeli government. Forgive me," he adds, "I have a bias against someone who lives in New York and tells us not to give up 'our' land." Giving voice to similar concerns, filmmaker Amos Gitai worries that many American Jews are reluctant to relinquish what he calls Israel's "mythical role with the gun in their hand fighting the Arabs…fighting to the last Israeli."

Amazingly, I've gotten this far without mentioning Iran—the issue that preoccupies the official American Jewish community, many of whose members fear what they call a "second Holocaust" should Iran be allowed to achieve its aim of creating a nuclear weapon to use against Israel. Over lunch respected historian—and extremely controversial political analyst—Benny Morris walked me through the terrifying scenario that he believed would occur were the United States to fail to bomb Tehran: given that the Iranian leaders say they welcome martyrdom and have proved willing to sacrifice hundreds of thousands of Iranian children in the Iran-Iraq war, and given that no Israeli prime minister could risk allowing a nuclear threat from Iran to materialize and that Israel lacks the ability to take out the Iranian nuclear program conventionally, Israel is forced to consider a pre-emptive nuclear attack on Iran (as incredible and horrifying as that sounds). "The Iranians are driven by a religious ideology that says Allah will protect them, and Allah, they believe, says they must destroy Israel," he tells me. "You can't rely on deterrence with them."

This shocking conclusion was recently seconded by a number of participants in a symposium in *Moment*, a liberal-minded Jewish magazine at which I am a columnist. Shortly after I met with Morris, Shabtai Shavit, a former head of Mossad, gave an interview in which he warned that Israel had just twelve months in which to destroy Iran's nuclear program or risk coming under nuclear attack itself. Shavit told London's Sunday *Telegraph* that such an attack was far more likely should Barack Obama be elected President, as Israel felt it could rely on McCain but not Obama to undertake a sustained conventional attack.

Most people with whom I spoke found Morris's prediction of a unilateral Israeli attack on Iran, nuclear or conventional, to be no less difficult to imagine than I did (though, in contrast to most American liberals, many would be pleased if the United States decided to do the job instead). In any case, Israeli concern about the inability of nuclear deterrence to operate on Islamic would-be martyrs further complicates hopes for a two-state solution, as it deepens Israeli insecurity and diminishes sympathy for the victims of the occupation. With the erection of the separation wall and the creation of more than 600 army checkpoints, according to a recent UN report, around Jerusalem and the West Bank the mere act of living one's life and conducting one's normal business is becoming an increasingly impossible burden for Palestinians, draining the peace process of its potential supporters and Hamas of its likely opponents. Many with the opportunity to do so are fleeing to the Gulf states, explains the longtime journalist Danny Rubinstein, where jobs are plentiful and well paying. The preferred Israeli response to this creeping crisis, however, appears to be denial. As Aluf Benn tells me, "Most Israelis are happy with the reduction of terrorist attacks and fear if you give away the West Bank, you are going to get Palestinian attacks on Ben-Gurion Airport. They don't care about the settlers or the settlements. Most people would support their removal, but we can't go through that ordeal and get rockets landing on Jerusalem and Tel Aviv."

Even leaving the plight of the Palestinians aside, many Israelis fear that their society's de facto denial of demographic reality amounts to a kind of slow-motion suicide for a nation

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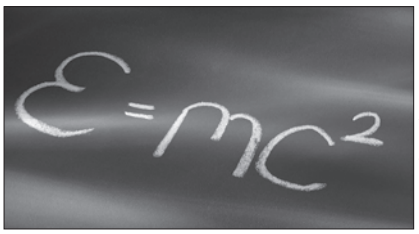

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About Your Professor

Dr. Don Howard is a Professor of Philosophy at the University of Notre Dame and Director of Notre Dame's Graduate Program in History and Philosophy of Science. He earned an M.A. and a Ph.D. in Philosophy with a specialization in the Philosophy of Science from Boston University.

Professor Howard has served as an assistant editor and a contributing editor for the Collected Papers of Albert Einstein. He is also a founding coeditor of the Einstein Studies series.

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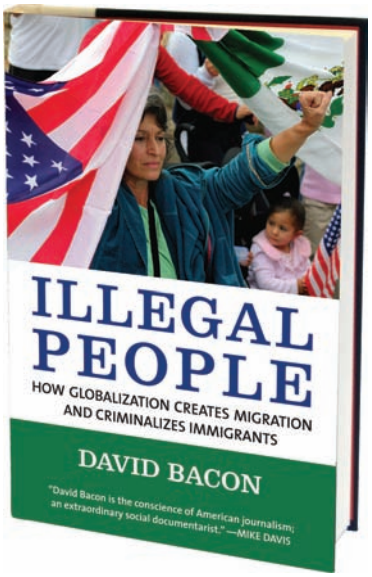

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that seeks to remain both Jewish and democratic. As Prime Minister Barak admitted to the *Jerusalem Post* in 1999, "Every attempt to keep hold of this area as one political entity leads, necessarily, to either a nondemocratic state or a non-Jewish state. Because if the Palestinians vote, then it is a binational state, and if they don't vote, it is an apartheid state that might then become another Belfast or Bosnia."

Ha'aretz columnist Gideon Levy makes the point that the solution to the Iranian crisis is the same as the solution to most of the rest of Israel's security problems. "Imagine peace with the Palestinians, the Syrians and most of the Arab world," Levy writes. "Would Mahmoud Ahmadinejad dare threaten Israel then, too? On what pretext? Imagine that Israel announces it will not attack Iran until all other means have been exhausted, simultaneously calling on the West to talk to Iran about security guarantees. Does it sound unreal? Will we not contribute more this way to reduce the danger?"

As Moshe Halbertal notes, Israel "tried to get a peace agreement and that failed. Next we tried a unilateral withdrawal and that turned into a base for radical Islam to launch attacks on us." Friends of Israel and the Jewish people must understand this, but understanding is not enough. We must also help Israel look beyond the relative comfort of the present moment toward the nightmare that awaits it just down the road should it continue in its current direction. Menachem Brinker, who notes that Israel will never find a "better partner for peace than [PA President Mamoud Abbas, *aka*] Abu Mazen," avers that "without an element of enforcement of the international community as there was in the Balkans," most Israelis cannot even envision the possibility of peace in the near term. "We need to be forced into good sense." Many of his compatriots concur. "I have been very much disappointed with the American Jews who do not oppose settlements," explains A.B. Yehoshua. "They have been educated on liberalism and democracy. And they could see what is happening here and help us. I understand the idea of automatic solidarity, but all their good democratic values vanish when it comes to Israel."

Listening to Yehoshua, Brinker and so many others, I was repeatedly reminded of the moment in the film *Exodus* when the handsome young warrior Ari Ben Canaan, played by Paul Newman, pleads with his Palestinian boyhood friend not to fight against the Zionists but to join them in the battle to end British colonialism and to forge a new society: "Now we will be equal citizens in the free state of Israel," Newman/Ben Canaan swears. While it's true that Hollywood dreams are just that, dreams can be necessary to sustain a people through difficult historical moments. Zionism is the product of exactly such a dream. In Theodor Herzl's utopian 1902 novel *Altneuland*, the movement's prophet goes so far as to imagine Palestine's Arabs thanking the Jews of future Israel for helping them find the freedom and prosperity that today is still lacking in Arab societies. Although that hope is likely to remain out of reach for the foreseeable future, the best way to help Israelis and Palestinians move closer to their dreams is to insist that each society allow the other to develop and flourish peaceably side by side. The alternatives are too awful to imagine, which may be why Israelis—sixty years into their continuing miracle—remain unready to face up to them. ■

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War Is Personal

Mike Harmon / Age 25 / Brooklyn, New York

Photograph and interview by Eugene Richards

We were certified medics, attached to a tank and artillery battalion. When our guys went after someone who fired on us, they were dead. Civilians were the casualties—crossfire people, people driving by or sitting outside their homes. You'd see explosive devices go off, and the gunners on the Humvees—guys who were 18 or 19—would shoot in that direction. There isn't a policy; you just do it. But there was never any insurgent there, 'cause they detonated the IEDs from cellphones, from batteries in other places. So people driving the highways got caught: .50-caliber bullets go right through doors, dashboards, engines. Whenever an IED went off, we would attend to civilian casualties—mostly women and children—and half of them died on me. There was nothing you could do. You'd get to this car and this guy was still holding the steering wheel with no head. Some guys laughed. Some put glow sticks in this one dead guy's head, like he was a jack-o'-lantern. I mean, these were good guys who saw this too much.

PHOTO ESSAY

My nightmares are pretty much always the same now. Somebody is chasing me with broomstick handles or machetes and there's a set of doors that don't lead me anywhere. And the floors are all slippery, and I keep slipping and slipping. On the train I'll have a panic attack, palms sweaty, lightheaded; you think you're having a heart attack. I don't know why I keep calling the paramedics, because I know it's only gonna last fifteen minutes. But during the fifteen minutes you go crazy. Last time I had a panic attack was 1:30 in the morning. My mother said I couldn't talk. I heard her, saw her, but couldn't respond. The words "I'm OK"—I couldn't get them out. ■

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Overcharged

On top of prison time, offenders are slapped with fees they can't pay, creating a vicious circle.

by EMILY JANE GOODMAN

Paying a debt to society now means more than doing time. In addition to prison sentences or alternatives to incarceration such as drug programs, fees and surcharges are being imposed on criminal offenders throughout the country. In some states, offender-based revenues start to accumulate upon arrest, without a wait for conviction. These charges are in addition to any fines and restitution they may be required to pay.

RYAN INZANA

Surcharges and fees are mandatory in all New York criminal cases. A felony conviction for drugs, larceny or burglary, for example, costs the defendant a statutory $300 fee plus $25 to a victims' fund. Judges have no discretion to waive them despite the defendant's likely indigence. As New York State Supreme Court Justice Gustin Reichbach says, "The imposition of mandatory surcharges, like mandatory sentencing, erodes judicial independence by tying the judges' hands even when they think that justice requires a different result."

"It is fiscal gimmickry used to close budget gaps," says Brooklyn Assembly member Hakeem Jeffries. "No one thinks it's anything but a barrier to successful re-entry into society, because people with low or no income will owe significant amounts of money." Alan Rosenthal, director of justice strategies for the Center for Community Alternatives, adds, "It is not a public safety issue, and there are almost no proponents of these financial consequences for any reason other than the revenue streams."

Bobby, 26, who admits to having "a bad record," recently served eighteen and a half months in Virginia. He's out now and working part time but says he owes more than $9,000 in court fees and another $10,000 in accrued interest and penalties. His prison balance sheet had hourly wages of 42 cents, from which he paid a dollar a day for his lodging and medical attention. Bobby, who is on "intensified parole," says, "I can never get out of it, and once you get into that Catch-22, you might as well live it up until you get locked up again."

But "recidivism is what nobody talks about," according to David Udell, director of the Justice Program at the Brennan Center for Justice at New York University School of Law. The biggest problem, he explains, is that there is no meaningful thought or dialogue on the implications of the entire surcharge/fee phenomenon. "You are loading debt onto people who are in the system in the first place due to lack of financial resources," Udell says. In fact, 80 percent of people facing felony prosecutions are indigent, and 60 percent of men and women released from prison are still unemployed a year later.

Whether there's an arrest on new charges, and a whole new case with new surcharges and fees, or violations of parole and probation for nonpayment, "the ability to stay out of prison depends on making payments," Udell explains. At the same time, civil judgments are routinely entered against the debtors. On top of a criminal record, this results in bad credit, garnishment of salaries and inability to gain employment, housing or education. In Washington, as well as other states, unpaid court debt can end voting rights. Private collection agencies are widely used, but the surest collections are from inmates because their prison earnings as well as commissary money sent by families, while usually insufficient to cover the debt, are seized by the state.

In the meantime, there are arrest fees (Texas), booking fees (Colorado) and DNA bank fees (New York). Michigan bills for the services of court-appointed lawyers, creating an incentive to waive counsel or to plead guilty at an early stage before legal costs escalate. Eighteen percent of Rhode Island inmates are in custody in connection with court-imposed financial obligations. An open court debt in Florida leads to a suspended driver's license, which in turn can lead to loss of job or re-arrest for driving with a suspended license. Alabama judges can increase fees from $600 to $10,000. There are special fees for particular offenses such as sex crimes, abuse of children or the elderly and, especially, driving while intoxicated.

Staten Island District Attorney Dan Donovan, who does not believe that surcharges and fees deter crime, says, "The true benefit of court-mandated fees is that they require criminals to financially support the operation of the criminal justice system they have violated as well as to benefit programs targeting violence and substance abuse." Yet the surcharges and fees are not earmarked for criminal justice, the courts or victims but go instead to the state treasury. David Bookstaver, communications director for the New York State Unified Court System, says he does not know how much revenue the courts generate or where the money goes. However, he does know, "We do not keep the money here."

The spokesperson for another prosecutor sums it up: "I always found it kind of strange to sentence a guy to ten years, and then say, Oh, by the way, you also owe $1,000." ■

Emily Jane Goodman, a New York State Supreme Court Justice, writes frequently about law.

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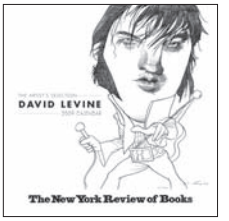

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(continued from page 6)

Here again, McCain's actions cast doubt on his promise. The Senate record doesn't offer much to go on: neither McCain nor Obama voted on the Water Resources Development Act of 2007, which became law over Bush's veto and, among other provisions, authorized more than $3 billion for coastal restoration. Yet one month after Katrina, McCain's was one of the loudest voices arguing for fiscal restraint as initial New Orleans reconstruction efforts got under way. While he did not directly oppose reconstruction, he warned against imposing a debt burden without first finding offsets—a position that contrasts with his less conditional support for Iraq War spending.

More broadly, there is a marked difference in the way the two candidates understand the lesson of Katrina. To McCain, Katrina represents an isolated failure of government—which he promises to improve by his good efforts and, more ominous, by privatizing relief and turning it over to "FedEx or Wal-Mart or Home Depot," as he reportedly said at a Florida campaign stop. In doing so, he's following a common Republican script: first, gut a functioning government agency or program; then turn operations over to the private sector.

For Obama, Katrina extends far beyond New Orleans. He developed this argument on the floor of the Senate just days after he visited the Houston Astrodome, which was lined with Katrina evacuees. In the Astrodome, he said, he met a woman who described how they had nothing before the hurricane and now had "less than nothing." He went on to pen this conclusion in his foreword to the MoveOn.org book *It Takes a Nation*: "In the end, we rise and fall as a nation depending on our ability to harness that spirit to do and care for others—not just in response to a hurricane or a terrorist attack or a tsunami but in response to the everyday Katrinas so many of our neighbors quietly and desperately live with."

Obama honed this theme of quiet storms at a speech earlier this year in New Orleans, as well as in a Labor Day speech in Milwaukee, during which he connected the Gulf Coast with the Rust Belt. In the fall of 2005, he backed up his talk about federal compassion with a bevy of votes to provide relief, including measures to provide emergency healthcare and extend unemployment insurance for people who'd gone through the storms. The measures mostly split along party lines; McCain generally joined other Republicans in opposition.

In the days following Gustav, New Orleanians, whose homes were mostly spared, returned to wonder about the next time and to listen, once again, to a renewed national conversation about their lives. By all rights, that conversation should now last through the election and beyond. A historic rebuilding could still begin in New Orleans; Obama alone offers the promise that it wouldn't end there. MICHAEL TISSERAND

Michael Tisserand, the author of Sugarcane Academy: How a New Orleans Teacher and His Storm-Struck Students Created a School to Remember *(Harvest), is currently working on a biography of New Orleans–born comic strip artist George Herriman.*

Letters

(continued from page 2)

newsosaur is a creature that once had its day but is now suited for extinction.
Jim Hansen

Where Was the NLGJA?

Kansas City, Kan.
I appreciated Amy Alexander's "The Color Line Online" [Aug. 4/11], about the online successes and challenges for minority journalists. However, I was disappointed that she failed to mention the National Lesbian and Gay Journalists Association, which has been around for eighteen years and has 1,300 members in twenty-five chapters. The gay community includes members of the "colored" community and is the only one without equal rights and protection under law.
Earl Nissen

Guatemalan History 101

North Hollywood, Calif.
"The Novelist and the Murderers" by Nathaniel Popper [July 7] is one of the best and most enlightening articles I have ever read. The enormous irony brought out so masterfully by Popper is that a brief and basically nonessential mention of a character in a book could have such monumental and decisive consequences in the political destiny of a country. Guatemala's modern history was so vividly opened by the article that I believe it should be required reading for all students of Latin American studies. Thank you.
Joel Ritz

R.I.P., Darling

University Park, Md.
Reading Frances Richard's review of Luc Sante's *Kill All Your Darlings* ["New Old Things," Feb. 18], I was surprised to see the advice "Kill your darlings" credited to William Faulkner. This advice, phrased as "Murder your darlings," has long been one of my favorite pieces of editing wisdom—and it came from Sir Arthur Quiller-Couch (1863–1944). It appears in *On the Art of Writing*, published in 1914. Maybe Faulkner, a teenager in 1914, got it from Quiller-Couch."Whenever you feel an impulse to perpetrate a piece of exceptionally fine writing, obey it—whole-heartedly—and delete it before sending your manuscript to press. Murder your darlings."
Harley Cahen

We're Spreading the Word

Port Hueneme, Calif.
Years ago at the gym for non-jocks at Miami University in Ohio, it was customary for subscribers using the machines in the fitness center to leave magazines for others to read on racks provided for that purpose. However, it was prudent to cover over or remove one's address label on magazines like *The Nation*; otherwise one risked late-night calls from drunken reactionaries. A very small risk, probably—too few pictures in *The Nation* in those days to attract such readers—but a risk.
Richard D. Erlich

Amarillo, Tex.
A term, for which I give credit to my daughter's anarcho-punk friends (who probably stole it) for the much more productive method of recycling apparently subversive reading material, such as past issues of *The Nation* with which one can bear to part: Read and Release.
D. Singleton

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Books & the Arts.

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King Hussein and Israeli Prime Minister Benjamin Netanyahu visit the family of an Israeli girl gunned down by a Jordanian soldier in March 1997.

An Unlikely King

by BERNARD AVISHAI

The difficulty this formidable biography had to overcome was that its subject's majesty and the kingdom he ruled were both, let us say, unlikely. The story of a desert prince whose grandfather was an intrepid king but whose father, the heir apparent, was mad—a prince who had been roughed up by tribal discipline and groomed in British public schools, who ascended his throne at 17 after his grandfather, his liege and mentor, was murdered before his eyes—would have quickened any reader of Kipling. But this was 1953, a little late for Hussein bin-Talal, the man who would be king, to bring the glow of Victorian monarchy to Bedouin tents. The previous year King Farouk had been overthrown in Egypt during the July 23 revolution; princes were going to Monte Carlo to look for starlets. And what was Jordan? Imagine the desert left over after imperial powers and stronger monarchs had carved up the region, a country that had recently conquered new lands west of the Jordan River, lands that happened to include the most contested holy city in history and, therefore, a million people who hated their conqueror's guts.

There are three ways for the biographer, Avi Shlaim, to meet this challenge: one, create a vivid portrait of a youth who, maturing through dangerous tests, positioned himself more or less heroically among shifting allies and enemies; two, show how his force of personality, staying power and progressive spirit gave legitimacy to an artificial country and even engendered a kind of civil society; and finally, prove that his moral balance contributed positively to the much larger story into which he was swept up—in this case, a fatal regional conflict that threatened himself and his neighbors. Shlaim has neglected the second, but he's made a compassionate attempt at the first and succeeded brilliantly at the third, so we gain a fairly complete diplomatic history of the Middle East through his subject's eyes. That may be enough for any one book.

The Emirate of Transjordan, Shlaim writes, had been created in 1923 by the "stroke of [Churchill's] pen," a wasteland with nothing but a railway stop of a town between Damascus and Medina, the ancient Philadelphia, now Amman. "Bounded by the valley of the Yarmouk on the north, by the Arabian Desert on the east, by the Jordan River, the Dead Sea, and Wadi Araba on the west," Shlaim explains, "it had no outlet to the sea until Abdullah grabbed Ma'an and Aqaba from the expiring kingdom of the Hijaz," the vast desert lands around Mecca and Medina, in 1925.

The Abdullah in question was the older middle son of Emir Hussein bin-Ali—the presumptive descendant of the Prophet—who was Sharif of Mecca at the beginning of World War I. Sir Henry McMahon, the high commissioner in Egypt, arguably promised Emir Hussein an independent Arab kingdom (and Muslim caliphate) from the Persian Gulf to Damascus if he and his sons rose against Ottoman rule—which they arguably did, in desultory guerrilla raids, famously supported by T.E. Lawrence, as the war turned in Britain's favor. Behind the emir's back, however, the British and French secretly concluded the Sykes-Picot Agreement, projecting east-to-west spheres of influence for each great power: Damascus to Beirut for

Lion of Jordan
The Life of King Hussein in War and Peace.
By Avi Shlaim.
Knopf. 723 pp. $35.

Bernard Avishai is the author, most recently, of The Hebrew Republic: How Secular Democracy and Global Enterprise Will Bring Israel Peace at Last *(Harcourt). He blogs at www.bernardavishai.com.*

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France, Baghdad to Jaffa for Britain. Once the war ended, they secured League of Nations mandates over hinterlands attaching to these cities—the French in "Lebanon," the British in "Palestine"—and drew up the rest of the weird borders we know today.

Though betrayed, the Hashemites were not entirely denied. By 1920 Emir Hussein had elevated himself to kingship in the Hijaz, while Abdullah seemed headed for the newly created "Iraq." The center ring, however, was Damascus, where Faisal—younger than Abdullah but outranking him as the military commander—tried to assert his rule. Faisal had marched into the city with British forces in 1918. But he soon came to seem the champion of self-determination by a Syrian national elite opposed to great-power designs; by the end of 1920, Faisal had pretty much alienated all sides and was summarily expelled by the French.

The British too obviously acquiesced in this act, raising Hashemite suspicions of a conspiracy, which of course there was. So the clan turned around and installed Faisal in Iraq, permanently bumping Abdullah to Transjordan—itself hived off from Palestine and thus requiring Churchill's pen. Things turned disastrous for the Hashemites when the Wahhabist Ibn-Saud drove Emir Hussein from his kingdom of the Hijaz (albeit without Aqaba) in 1925. We are still on the eighteenth of 723 pages.

Jordan was thus distinguished by not being Palestine, where the British governed and made room for Zionist colonists; not Saudi Arabia, newly formed by a militant enemy clan; not Syria, whose French masters and disappointed bourgeois nationalists rejected Hashemite pretensions; and not Iraq, the commanding brother's consolation prize. Abdullah, according to one British official, was "much too big a cock for so small a dunghill" and continued to harbor dreams of a Hashemite resurgence in Greater Syria. At first, Syrian enemies of French rule descended on Amman. But it soon became clear that, to preserve his rule, Abdullah would rely on a British-trained force and £60,000 a year to fund his administration. He toed the line until the end of World War II.

Abdullah finally saw an opening. Jordan gained independence in 1946, and he cast his eye on turbulent Palestine; the land meant Jerusalem and a potential outlet to the Mediterranean. He coolly offered the Zionists autonomy under Hashemite rule and secretly met with Golda Meir in 1947. After the Holocaust, with the Haganah gaining strength, the offer was hardly taken seriously. But Abdullah's luck changed in 1948, when the first Arab-Israeli war gave him a pretext to bring his British-trained Arab Legion across the Jordan River. He quickly moved to annex Arab cities and parts of Jerusalem, including the Old City and Noble Sanctuary.

Such was the wobbly, if united, kingdom that Hussein inherited in 1953. Its jewel—the city where his divine ancestor was believed to have ascended to heaven—came with an enraged population, including more than 200,000 refugees from Israel's coastal plain, people who nursed the fierce conviction that the Hashemites were lackeys of the same imperialism that had enabled the Zionists to flood their land. Most Palestinians had been unready for the modernization that was being thrust upon them; in the 1930s, peasants had been dispossessed as much by the steady rationalization of their tiny land holdings as by Zionist purchases. Yet progressive urban types were even less likely than peasants to be impressed by the rites of passage of Hashemite princes. Not surprisingly, it was a Palestinian nationalist who shot Abdullah on the steps of the Al-Aqsa Mosque in the summer of 1951, as his grandson watched in horror. Talal, Hussein's depressive father, became king but proved unfit. A year later Hussein replaced him, and our story really begins.

> Shlaim, like a crime reporter covering a perpetual gang war, details Hussein's every move.

The power plays the young king soon found himself executing could hardly have been more lethal or, for a novice strongman, more labyrinthine. By age 21, he had positioned himself between the Soviet bloc and American "interests," British imperialism and anti-British pan-Arabism, Israeli military power and Palestinian insurgents, an Egyptian officer's regime and a Syrian version, Hashemite relatives in Iraq (who sustained the blood feud with the heirs of Ibn-Saud) and the promise of Saudi Arabian patronage. He balanced socialism and oil wealth, the claims of democracy and the need for stability, Western cultural influence and the Islamist Hashemite "legacy," relatives and retainers, the need to be loved and the need to be feared. He insisted on Jordanian independence against Iraqi Hashemite claims to eventual union. He weighed the hardfisted policies of his loyal Bedouin guard against his hope to ingratiate himself with his Palestinian subjects. Even his choice of wives—the second was English; the third, Palestinian—suggested strategy.

And there was not a moment when Hussein was not in crisis: Palestinian insurgents; retaliations from Israel; failed experiments in constitutional monarchy; tensions with Egypt's President Nasser, whom the Palestinians revered; even tensions with Britain over his firing of Sir John Glubb, erstwhile commander of Jordan's army. The Suez war exploded in the fall of 1956, exposing collusion between Israel and Hussein's British sponsor. By the fall of 1958 Hussein was playing the Baathist regime in Iraq, which killed his favorite cousin, against the one in Syria, which seemed eager to kill him, and the power of both against Nasser's more restrained brand of socialist pan-Arabism, which Palestinians generally counted on.

Hussein survived, Shlaim writes, by harmonizing "ideology and pragmatism"—a rather lofty way to characterize how he'd pose as the scion of the Arab awakening yet strike as the client of the Western powers. Shlaim details every move, much like a crime reporter covering an interminable gang war, marveling at the young boss's ability to play for a draw or make his own luck. While reading the first few chapters, I thought to keep track of the assassination attempts—and gave up. But we never really learn what made this man tick; Shlaim has not written that kind of biography. He writes that Hussein was humane and exhibited "exceptionally gracious manners." Mostly, we see him absorbed by treachery and pre-emption; we find ourselves pulling for him because we like his cleverness, brass and family loyalty—the way we pull for Michael Corleone.

You'd expect a survivor like this to keep his cool. Yet Shlaim shows that Hussein was something of a hothead back then: he "tended to wait upon events, to rely on intuition and sharp political instincts, and to make decisions on the hoof. There was also something of the gambler in him." The jackpot remained Jerusalem, which Hussein nearly lost in the 1950s. Were it not for his elected prime minister, the Palestinian Suleiman Nabulsi, who restrained the somewhat too glorious young king during the Suez crisis, Jordan would have attacked Israel from the West Bank, and that would have been that. Then again, Hussein's boldness also served him. After Suez, he realized he might lose Jerusalem—and the rest of his kingdom—to the "leftist" Nabulsi, who began to suggest the idea of a federation with Nasser. So Hussein staged a royal coup against Nabulsi in the spring of 1957, rallying his army in a series of gutsy encounters with potentially

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mutinous officers. This was the moment Hussein came into his own, shaping, if not quite securing, the Jordanian regime as we know it.

Hussein would then show up at Arab League conferences, voting for the consensus but piloting his own jet, subtly reminding the others of his RAF training. He didn't criticize, but politely refused to join, Nasser's abortive United Arab Republic. He'd shop for arms in Washington and London, and for clothes only in London. There he would also visit his Jewish doctor, Emmanuel Herbert, and secretly meet with Israeli officials (Shlaim especially documents the meetings with Ambassador Yaakov Herzog). You keep your friends close and your enemies closer.

By fending off challenges to his regime, Hussein sparked a kind of bourgeois revolution in Amman.

Ultimately, however, decisions made "on the hoof" go terribly wrong. In the fall of 1966 Palestinian guerrillas killed three Israeli soldiers, and Jordan suffered an unusually fierce retaliation at Samua. In the spring of 1967 Syria exchanged fire with Israel over the headwaters of the Jordan. Nasser preemptively closed the Straits of Tiran. Stampeded, Hussein joined an all-sided siege of Israel. He allowed Iraqi troops on his soil and put his army under Egyptian command. Finally—duped by fraudulent Egyptian intelligence—he joined the war on June 5, lobbing artillery shells into Israeli Jerusalem.

Hussein, Shlaim writes, never truly recovered from losing East Jerusalem in the 1967 war. But 1967 was also the acid test that proved the resiliency of what Hussein had already achieved. Hundreds of thousands of new refugees poured into the East Bank from the West. And yet the regime held: the monarchy, the army, the system of patronage, the rule of law. "This is not a country," Shlaim quotes a British diplomat from an earlier time as saying, "but a geographical monument to the courage of one young man."

Shlaim's obvious admiration for his subject's staying power is a virtue of the book but also a curiosity. For what emerges most clearly from this pre-1967 narrative is Jordan's ceaseless triangular struggle—against Israel, of course, but also against the rival idea of Palestine. Shlaim, an Oxford professor, is generally sympathetic to current Palestinian demands and wrote critically of Israeli policies in his earlier book, *The Iron Wall* (2001). In the 1990s, he was considered a stalwart of Israel's "revisionist" historians, along with Benny Morris and Ilan Pappé (who have since moved in opposite political directions). But you read this biography and see above all that Jordan and the Palestinian national movement have always undermined each other's legitimacy more effectively than either has undermined Israel's.

Shlaim never really acknowledges this in a way that would upset his Palestinian friends or diminish Hussein's moral prestige. For a reader, this syncretism can be frustrating. Shlaim is impatient—a little too demonstratively so, perhaps—with historical Zionism and British sponsorship of it. It was, he writes, "a monumental injustice to the Palestine Arabs." But when accounting for, say, Abdullah's conquest of the West Bank, he portrays the Palestinians' retrospective claims to thwarted nationhood as rather woolly: Sykes-Picot was a "breach of faith," though Britain betrayed the Hashemites, after all, not (yet) the Palestinians; the Mufti of Jerusalem (Abdullah's archrival) proved a grandiose sycophant of Hitler's Germany; Palestinian militias that attacked Jewish settlements were actually reckless tools of Syria; and so on. Nor was the sin of denying the Palestinians a state of their own in 1948 a mortal one: "Those who sit in judgment upon [Abdullah] should recall that after the Arab rejection of the UN partition plan, the war for Palestine degenerated into a general land-grab." The Palestinians were simply not good grabbers.

This summary of Jordan's prehistory does not quite imply what Golda Meir famously declared in 1969: that in her day, the Palestinians as such "did not exist." But though Shlaim mocks her for speaking this way, he comes pretty close to making a parallel claim. Was there really a culturally differentiable Palestinian nation not annexable to Syria? Was not the distinction of Palestinian national consciousness the immediacy of its political confrontation with Zionism?

The Palestinian scholar Rashid Khalidi, and Israelis such as Baruch Kimmerling and Yehoshua Porat, have shown how Palestinian national consciousness was shaped before the end of the British Mandate, so perhaps the question of cultural distinction is not worth raising. But you cannot consider the Hashemites sympathetically, as Shlaim does, without being bothered by it, which he seems not to be. The idea that Jordan is Palestine began in Amman, remember, not in the Likud.

If Jordan was going to be nothing but Jordan, though, what exactly would this be? Shlaim might have pulled at this thread a little, telling us more about the political economy of the dusty commonwealth Hussein created after 1967. He writes, summing up, that Hussein "had no understanding and virtually no interest in economic matters." But this misses an important point, I think. In fending off challenges to his regime—paying off his retainers and keeping the *mukhabarat* (the security apparatus) loyal and efficient—Hussein was also creating a regime of defensible property and commercial freedom, which prompted a kind of bourgeois revolution in Amman. Palestinians were its primary beneficiaries. Hussein built good roads to a rather large airport, invited hotel construction, cleaned up the garbage. His government, largely prodded by his younger brother Hassan, advanced scientific competence, even women's equality. Jordan now has more than thirty colleges and universities. "The politics of economic legitimacy," Hassan told me back in 1983, "has fostered Jordan's existence."

Jordan is now a country of 6 million citizens, with a per capita income of about $5,000—a little less than Israel's Arab citizens and four times the income of Palestinians in the occupied territories. Amman's population is well over 2 million, and the city's core district has more than twenty skyscrapers completed or under construction. It has an increasingly stable middle class that reads (and increasingly says) what it wants. Its legislature has a lower House of Deputies that is more or less freely elected, which Hussein's son, Abdullah, consults the way a CEO consults shareholders' groups at the annual meeting. Aqaba has booked hundreds of millions in new tourism investment. Jordanian growth is running at 6 percent, fueled in part by a refugee Iraqi elite.

This growth is not a small achievement. Jordan has no natural resources except Dead Sea minerals and the tourist sites Petra and Jerash. In the 1980s, the only other resource was—as a US diplomat put it to me—"a long border with Israel," which allowed it to extort oil and money from confrontation states for staying within the Sunni Arab consensus—for example, by helping out Iraq in its war against Iran. As many as 400,000 Jordanians, most of them Palestinians, worked in the Gulf during this time. The sum of their remittances declined only after Hussein and the PLO failed to condemn Saddam's incursion into Kuwait, which led to the expulsion of most Palestinians back to Jordan.

At the time this seemed a catastrophe; it proved another blessing in disguise. For the immediate loss of financial capital was

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made up for by a gain of intellectual capital, the entrepreneurial know-how acquired in the Gulf that launched thousands of businesses with regional possibilities: insurance, logistics and construction, engineering consultancies, food processing, clothing manufacture, investment banking, retailing, import-export, software solutions. In a way, the future Palestinian state is taking shape in the minds and wallets of the Amman diaspora, because Palestine's future entrepreneurial elite is thriving here.

This may all sound more Rotarian than regal. Indeed, strip away the pipes, kilts and salutations, and Hussein was just another Arab president-for-life, making room for his son to succeed him, taking over where mosques and fathers left off. But Hussein was something of a pioneer, too, and he doesn't get enough credit for it. Libya's Muammar el-Qaddafi, claiming fidelity to the Palestinian cause, tried to build state socialism in a country of equal size and with far greater resources. Hussein created a society of choices and opened his country to foreign journalists and investors. He made Palestinians citizens. Who, now, is trying to catch up with whom?

Jordan's wealth is built on sand, however, and cannot outlast continuing wars. Which returns us to the book's real purpose. Shlaim's exhaustive analysis of Hussein's peace efforts after 1967 turns his biography from a sketchy history of Jordan into an absorbing diplomatic chronicle. Shlaim has talked to the important players, dug up many necessary documents and reread the obvious newspaper accounts. Step by step, he guides us through the opportunities the players did not miss a chance to miss. It's possible he got a detail wrong here and there, but his authority, and tenacity, are undeniable.

Hussein, in Shlaim's treatment, emerges as a singularly calming presence, appalled equally by Israeli Scripture-hawks who began settling in Hebron in 1968 and, in the 1980s, Islamist militants who imported suicidal terror from Iran. His good "manners" seemed naturally to produce moderation in the face of leaders who, given a lesser sense of security, thought they had to act like bullies. In the years immediately following the 1967 war, he secretly offered Israelis a full peace treaty in exchange for the captured land, taking seriously UN Resolution 242, which implicitly recognized Israel—despite the PLO's contempt for it and Israel's "open bridges" policy, which amounted to disingenuous stalling. He steadfastly refused Israeli offers of collusion, embodied in the Allon Plan, which saw Jordan reassuming control of the West Bank without Jerusalem. Yet Hussein continued to pay West Bank teachers and civil servants, hoping for some kind of federal deal with the Palestinians, which would entail his triumphal return to Jerusalem. When Nasser opened fire on the Suez Canal in 1969, launching the gory War of Attrition, Hussein stayed out. He continued to try to restrain fedayeen from attacking Israel from his territory while tolerating their other activities. To be clear, Hussein's army remained the best-trained (if not the best-equipped) Arab force in the region. But he never again mobilized it except in the most extreme cases of self-defense, such as the so-called Black September of 1970. Even then, when Hussein was allegedly at his cruelest, his actions suggested a desire to stay out of wars.

I won't steal Shlaim's thunder here; his narrative is gripping. Suffice it to say that Hussein inadvertently enabled Palestinian refugees to live in a PLO-controlled state-within-a-state after 1967, and then found himself trapped by his concessions. By 1970 he had confronted more than 350 underground bases in Amman alone. When open fighting finally broke out between the Jor-

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danian army and Palestinian guerrillas in June of that year—during which Hussein survived two more assassination attempts—he continued to restrain his commanders, whose forces outnumbered insurgents five to one. Hussein then attempted an agreement on joint rule with Yasir Arafat.

Both sides, it is true, were biding their time. (It later came out that Palestinian insurgents modeled themselves on the Vietcong and were plotting a revolution, beginning with a general strike.) Hussein reached out to America to gain a pledge of support; he feared he would have to move against the PLO eventually—and risk invasion by Syria. This proved prescient. Nasser accepted the Rogers Plan in July 1970, ending the war on the canal; the plan entailed acceptance of UN Resolution 242. Immediately—mock spontaneously—PLO militants vented their rage on Jordan's regime. Most took to the streets; some spectacularly hijacked foreign planes to Jordanian soil. Hussein's army surrounded Palestinian camps and tried to restore order. The camps resisted fiercely. On September 18 of that year, a Syrian armored force with Palestine Liberation Army markings crossed into Jordan.

Desperate, Hussein asked for help from Israel (through Henry Kissinger). Israeli fighter jets buzzed the Syrian tanks. Hussein's forces then engaged the Syrians, who withdrew, suffering serious casualties. Only then did Jordan's army act, mopping up insurgent strongholds. More than 3,000 Palestinians died in the fighting. This led to yet another deal with Arafat in late September, brokered by Nasser (who died of a heart attack the next day). In July 1971, when fighting erupted again in the north, Hussein expelled Palestinian forces to Syria. They moved from there to southern Lebanon, auguring the 1982 war.

Afterward, Palestinian leaders and intellectuals depicted Hussein as a butcher and imperial stooge. Shlaim reveals these claims to have been fatuous. Even after he defeated Arafat in September 1970, Hussein tried to show some magnanimity, formally recognizing the PLO as a "legitimate representative" of the Palestinian people—a move that would be trumped by the PLO's elevation at the Rabat summit of the Arab League in 1974 as the Palestinians' "sole" representative, much to Hussein's dismay. But the king learned to live with this blow, too, working around it as the times required.

Just before the 1973 war, he met secretly with Golda Meir in Tel Aviv, warning that the status quo had become explosive, though not tipping her off about an impending attack, about which—so Shlaim insists—he knew nothing. After Rabat, Hussein continued to offer a Palestinian federation. He swallowed Kissinger's unwillingness to initiate a disengagement-of-forces agreement on the Jordanian front, and then the insult of Sadat, Begin and Carter not inviting him to Camp David in 1978 (while taking his cooperation for granted). He kept his borders with Israel and Syria quiet as the focus of violence moved to south Lebanon, where the PLO had established a new state-within-a-state. He stayed out of the 1982 Lebanon war. He then cooperated with US Secretary of State George Shultz's efforts to restart the peace process in 1983.

It will be hardest for the Israeli peace camp to look back on Hussein's last gambit, the abortive agreement in London negotiated with Shimon Peres in 1988. Peres was then foreign minister in a unity government led by Likud's most intransigent prime minister, Yitzhak Shamir. Like Camp David, the agreement called for direct negotiations based on land for peace; and it anticipated reintroducing Jordanian forces to territories already wracked by resistance to Israeli occupation. Peres promised to resign and fight for the "Jordanian option" if Shamir—an advocate for Greater Israel—refused to budge. Shamir did not budge, and Peres did not resign. This was the last time Hussein presumed to act on behalf of the Palestinians, and the last time he trusted Peres.

From here on, it was all endgame. After trying (and failing) to broker a peace between Saddam and the Americans in 1991, Hussein supported the Madrid conference, making room for a PLO delegation. When the backdoor Oslo talks produced a provisional deal between Israel and the PLO, Hussein hastened to cut a deal of his own, in October 1994. Then Yitzhak Rabin was assassinated, and Hussein made an emotional appearance at his funeral. He had high hopes for Benjamin Netanyahu, which were quickly dashed. When Netanyahu and Arafat bogged down at the Wye River negotiations in October 1998, Hussein—sick with cancer—flew from the Mayo Clinic to help seal the deal. His last big move, made with uncharacteristic spite, was choosing his soldier son over his intellectual brother to succeed him. On February 7, 1999, he died.

Shlaim presents this last cascade of moves dispassionately. But one indelible image suggests what, with Hussein's untimely death, was lost. On March 13, 1997, a deranged Jordanian soldier shot and killed seven Israeli schoolgirls and wounded six others at the Naharayim crossing point in the north; the girls were on an outing to the "Island of Peace," a park on the Jordan-Israel border, recently restored to Jordanian sovereignty. This was an unexpectedly hopeless time in Israeli-Jordanian relations, for Netanyahu had just shrugged off the passionate letter Hussein had sent him protesting continuing Israeli settlement activity. Yet Hussein, in Madrid on a state visit, immediately flew home; three days later, he made an unprecedented trip to Beit Shemesh, the girls' town. The king went to the houses where the families were mourning. He entered on his knees.

Many Arab commentators accused him of submission, Shlaim recalls. Hussein commanded that each of his visits be shown on Jordanian television. "If there is any purpose in my life," he told one of the families, "it will be to make sure that all the children do not suffer the way our generation did." This was hardly an original sentiment. It was also not an ignoble one from a leader who was little more than a child in mourning when his rule began. ■

All Aboard

Tumbled down an incline at Bash Bish
Broke many things; it was still spring

Clouded over, it was too rainy to walk annually
At Bartholomew's Cobble; a coneflower appeared

As did a lupin, even some alyssum
Be forewarned: the eternal perennial

Is not immortal, though rooted in the ground
& coming back, it might disappear

In a wild fire, tornado or apocalypse
Or move over in a spring flood

Or earthquake; you move over & you'll see
The same thing you saw yesterday, maybe

It's the welcome wagon, here's
A cherry pie; the cherries are eternal

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RICHARD CARSON RJC/REUTERS

Houston's gay community celebrates the *Lawrence v. Texas* decision outside City Hall on June 26, 2003.

We Colonials

by MARGOT CANADAY

On the June day in 2003 when the Supreme Court announced its landmark decision in *Lawrence v. Texas* holding state sodomy laws to be unconstitutional, I was working in the library of the Kinsey Institute in Bloomington, Indiana, as part of a summer workshop for historians of sexuality. This was an appropriate place to be at that particular moment. Dr. Kinsey, after all, had been in his day a fierce critic of those laws. And the setting was even more fitting because our party of historians included several who—led by George Chauncey—had written an amicus brief in the case that was influential in Justice Kennedy's majority opinion. So when one of our group checked the headlines and then alerted the rest of us that the Court had announced its decision, we all clustered excitedly around a computer monitor, checking the available news. A joint cheer went up. But that was really it. Minutes later, we shuffled back to our tables and quietly resumed our research.

That the moment seemed both earth-shattering and surprisingly anticlimactic has much to do with the nature of the sodomy laws, which, for LGBT Americans, have simultaneously meant so much and so little. I suspect that no one in our predominantly queer group thought it even remotely possible that they might be arrested (under these basically unenforced laws) for consensual sexual activity with an adult member of the same sex. Yet we also understood the significance of the Court's decision as far more than symbolic politics. That anal and sometimes oral sex were, in 2003, still illegal in thirteen states had been used to justify a much broader array of discrimination against us. It was as presumptive criminals that gays and lesbians were kept out of the military; as presumptive criminals, gay and lesbian teachers lost their jobs, and parents lost custody of their children.

Dishonorable Passions
Sodomy Laws in America.
By William N. Eskridge Jr.
Viking. 514 pp. $32.95.

In *Dishonorable Passions*, William Eskridge offers the first comprehensive history of sodomy law in America. Eskridge is a historian and a law professor at Yale who also wrote a brief that was cited repeatedly in Kennedy's opinion, and the energy in the book barrels toward *Lawrence*. It's hard, really, to imagine how it could be otherwise, especially as the *Lawrence* decision provides Eskridge with a gay civil rights story that has a beginning and an end (such stories being fewer and farther between than you might realize). In writing from the vantage point of *Lawrence* and gay civil rights, Eskridge treats sodomy in a way that mirrors our culture's treatment of sodomy more generally. Both make it fundamentally about homosexuality. But sodomy, as Eskridge told the Court—and also tells readers—technically isn't about homosexuality at all. Rather, it's about sex without procreative possibility (which can be hetero as well as homo sex). Because sodomy has come to be seen as emblematic of homosexuality, however, much of the career of sodomy law in modern America has been a command performance as something other than what it really is. And that is what allowed historians—called upon to show that policing homosexual behavior was not, in fact, the time-honored tradition conservatives claimed it to be—to assume center stage in *Lawrence*. All those years in the archives: who knew they would matter so much?

Take the scholarship on the colonial era, with which Eskridge begins his account. During the 1600s, the American colonies adopted sodomy (or "buggery") laws that prohibited bestiality as well as anal sex between either a man and a woman or between two men. (New Haven Colony was rare in including sexual acts between women as part of its sodomy prohibition.) Punishment—which included death—was draconian, but the laws were very rarely enforced. Historians know of less than ten executions for sodomy throughout the seventeenth century. Of those few, almost all involved assault or sex with animals. These laws were not directed in any particular way toward homosexuality. Indeed, they couldn't be—the idea that there was a type of person who was a homosexual didn't even emerge until the late nineteenth century, a result of urbanization, industrialization and the development of medical/sexological discourse. But while these laws weren't about discouraging homosexuality per se, their architects sought to regulate sexual behavior more generally by steering sexuality toward procreative marriage; protecting women, children and weaker men from assault; and maintaining public order and decency.

Eighteenth-century Americans were even less likely to police sodomy than their seventeenth-century forebears. There is only one known capital case during the eighteenth century—a slave named Mingo for "forcible buggery"—and after independence all thirteen states revoked the death penalty for sodomy convictions, although all adopted laws criminalizing anal sex (whether the recipient was male or female, adult or child, man or beast). Those laws were maintained into the nineteenth century, when they were used in cases in which the sex enacted was either violent or extremely public. Immigrants and men of African descent were most commonly charged with the crime. But the general pattern was nonenforcement. "In practice," Eskridge writes, "police rarely enforced sodomy laws against anyone before 1880, even when such illegal activities were notorious in the community."

This pattern began to shift at the beginning of the twentieth century. Loosening morals and new patterns of urban sociability prompted officials to expand sodomy laws to include fellatio, which most states did by the 1920s. If more kinds of behavior counted as sodomy, more people could be vulnerable under the law, and so more aggressive policing ensued. Women as well as men were prosecuted for fellatio, for example, and a few states also included cunnilingus within the

Margot Canaday, an assistant professor of history at Princeton, is the author of The Straight State: Sexuality and Citizenship in Twentieth-Century America, *forthcoming in 2009 from Princeton University Press.*

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purview of the "crime against nature." While sodomy arrests during these years increased tenfold as compared with the late nineteenth century, the policing of sodomy was still modest relative to other sexual offenses—adultery, fornication, prostitution and rape were the sexual crimes that most absorbed the resources of urban police forces. Moreover, until the mid twentieth century, the vast majority of sodomy arrests were for rape-like offenses: assault of a man or a woman, or sexual activity with a child (assault by definition, since children cannot legally consent).

One conceptual weakness of the first part of *Dishonorable Passions* is that it drifts from a consideration of sodomy to early gay life more generally. This is in part a result, I suspect, of the way that the initial chapters are informed by Eskridge's *Gaylaw*, published in 1999. That book traced the "history of state rules relating to gender and sexual non-conformity," a topic that is far broader than sodomy alone. So in *Dishonorable Passions* there are vignettes, for example, about Walt Whitman, the "New Women" (Jane Addams's partnership with Mary Rozet Smith and Margaret Mead's relationship with Ruth Benedict), as well as the infamous gender outlaw Alice Mitchell, boarding school "smashes," the operation of vagrancy law against "fairies," the sterilization of suspected homosexuals and early butch-femme bar culture. Readers will find this material very interesting, but its relationship to sodomy law is fairly loose.

Eskridge's broad approach is less of a problem for the period when sodomy began to take on its modern hue and was more thoroughly homosexualized. McCarthyist anxieties about homosexuality, sex-crime panics and the advent of the vice squad led to a midcentury boom in sodomy arrests, as many as 80 percent of which may have involved homosexual offenses. As further reflection of midcentury homophobia, consensual homosexual sodomy emerged for the first time as a major regulatory concern. Accompanying this new focus on homosexuality, many states revised penal codes to allow for harsher punishment (not as harsh, of course, as during the colonial period). In most states, conviction for sodomy meant at least five and as many as fifteen years in prison. In California, it could mean a life sentence.

No sooner had this legal regime been put up than it began to be pulled down (in the *longue durée* of history, antihomosexualism may yet turn out to be something of a blip). But here, too, the story is probably not what you think: reform did not come from a nascent gay rights movement. Not at first. Rather, it was pushed by the legal community, influenced by Kinsey's findings about what Americans actually did in bed. Some 95 percent of Americans were technically lawbreakers—a situation that, if not remedied, might lead to the same kind of disregard for law that had marked the Prohibition era (as well as blackmail and police corruption). When the American Law Institute ("the grand assembly of law reform") approved its Model Penal Code (MPC) in 1962 to guide state lawmakers, it dropped consensual sodomy from the code. Public solicitation for sodomy was criminalized, however—this was the "MPC compromise." Nearly simultaneously, as part of its updating of its criminal code, the State of Illinois became the first to decriminalize consensual sodomy. Lawmakers there were able to avoid opposition by certain powerful groups, such as the Catholic Church, by agreeing not to liberalize abortion laws as part of their reform effort.

Eskridge's story of state-by-state reform is the freshest and most original part of his book, and readers will find many surprises here. The early homophile activists began to agitate against sodomy laws, and many state commissions continued to take up reform of the penal code as Illinois had. But the two forces did not work together (or even necessarily know of each other's existence), and early on, it was mostly in states where there was little gay activism and reformers did not

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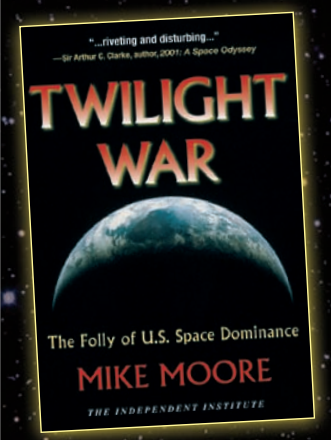
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see sodomy as a gay rights issue that liberalization was possible. (Many states followed the MPC approach of decriminalizing sodomy but simultaneously establishing loitering to solicit sodomy as a misdemeanor.) So it is an unfamiliar and somewhat startling map that emerges, one that bears little resemblance to the reds and blues with which we have all become familiar. Southern and Midwestern states were reasonably well represented among the liberalizers: Ohio and North Dakota removed consensual sodomy from the books before California; Indiana, South Dakota and West Virginia did so before Vermont and New Jersey. By 1977 sodomy reform reached its peak. Twenty-four states had removed consensual sodomy from their books; thirteen others had reduced consensual sodomy to a misdemeanor, making the possibility of jail time remote. Notably, however, sodomy laws didn't linger on just in the Deep South but also in New York, Rhode Island and Massachusetts.

The character of reform also shifted in the late 1970s, as sodomy became even more closely associated with homosexuality in the decade after the Stonewall riots, and it "became more difficult for sodomy repeal to sneak in through the back door of the Model Penal Code." Simultaneously, the connection to homosexuality "became a reason, as well as an obstacle, for sodomy law reform." The campaign to repeal sodomy law was more vigorously taken up by gay rights activists during these years; they successfully used their newly acquired clout to pressure police to ease up on solicitation arrests. But here again—and especially into the 1980s and '90s—sodomy law's meaning and its enforcement drifted apart. As sodomy/solicitation arrests declined for consensual same-sex behavior, sodomy law continued to be vigorously used to prosecute male-female rape cases in instances when coercion could not be proved. Eskridge does not fully explore this practice, but for some victims of sexual violence, it was a critical tool: without legal evidence of force, a sodomy law could send a would-be assailant to prison for oral or anal sex.

Even as actual enforcement became more trivial for gays, the use of sodomy to justify broad antigay discrimination kept the issue on the agenda. "Gaylegal" organizations like Lambda and the ACLU's Sexual Privacy Project were formed, and they shifted the strategy from legislatures to courts. From here on, this is a lawyers' story, and they seem to be the heroes and heroines (a striking number of the antisodomy litigators were women) for whom Eskridge has been waiting. They achieve a victory in New York (in 1980 in *Onofre*) by getting the court there to apply the Fourteenth Amendment due process right of privacy articulated in *Griswold* in 1965 and *Eisenstadt* in 1972 (about access to contraception) to consensual sodomy. The *Onofre* decision so enraged the head of Buffalo's vice squad that he encouraged his officers to be more aggressive in policing gay solicitation. The resulting arrest of one Buffalo man offered Lambda an opportunity to challenge the MPC's original compromise to decriminalize sodomy while criminalizing solicitation. How, Robert Uplinger's lawyers asked, could inviting someone to participate in lawful behavior be against the law? The New York Court of Appeals accepted this logic, striking a blow at the legal instrument (the crime of solicitation) that historically had ensnared many more gay men than had laws prohibiting sodomy. (One was far more likely to be arrested for solicitation than sodomy, which requires proof of penetration under some statutes.) When the Supreme Court dismissed the appeal in 1984 and allowed the *Uplinger* decision to stand, progressives concluded that, with the right case, the Supreme Court might be persuaded to strike down the nation's remaining sodomy laws.

Many thought *Bowers v. Hardwick*, which came before the Court in 1986, would be that case. But the Justices' decision in *Bowers* ended up being a surprise and a setback, as well as one of the most criticized decisions of all time, according to Eskridge. The case began with the unlikely arrest of a man in his own bedroom in Atlanta, Georgia—a state that was hardly zealous in its pursuit of sodomites. There had been no prosecution for consensual sodomy in Georgia for more than fifty years. Indeed, after Michael Hardwick's arrest in 1982, the Atlanta district attorney (who did not believe consensual sodomy should be a crime) actually declined to prosecute Hardwick. Even Georgia's attorney general, Michael Bowers, does not come across as a particularly passionate defender of the state's sodomy law. He did not bother to attend the oral argument before the Court, for example. (Years later, Eskridge discovered, Bowers still had not read the case that overturned the Supreme Court precedent bearing his name.)

The Supreme Court Justices were not nearly so indifferent. Even an ultimate *Bowers* dissenter, Justice Stevens, admitted that he had "a bias" against homosexuality. Justice Powell declared (to his barely closeted clerk) that he had never known a homosexual. Chief Justice Burger told a fellow Justice that the "case presented for me the most far-reaching issue" of his thirty years on the bench. With this audience in mind, Hardwick's lawyers tried to steer the "sex-squeamish" Justices away from homosexuality—because Georgia's sodomy law included heterosexual be-

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havior, they framed the issue as pertaining to "intimate sexual conduct in the privacy of the home." ("You would have to read [Hardwick's brief] very carefully," Eskridge notes, "to realize that [he] had actually been arrested for homosexual sodomy, and you would not know from it…that he was a gay man.") Georgia's lawyers asked, by contrast, if gay people had a fundamental right to engage in homosexual sodomy. This was the framing that the majority accepted, concluding that Hardwick's lawyers did not show that such a right was "deeply rooted in this Nation's history." Burger's concurrence was caustic. He referenced the English jurist Sir William Blackstone's belief that sodomy was a "deeper malignity" than rape. "To hold that the act of homosexual sodomy is somehow protected as a fundamental right," Burger declared, "would be to cast aside millennia of moral teaching." (Here was the opening historians and Eskridge would grab in *Lawrence*.)

The immediate impact of *Bowers* had little to do with sodomy: right after the decision the head of Atlanta's vice division stated he had no intention of vigorously pursuing sodomy arrests. Instead, gay activists feared that the decision meant court protection of antigay discrimination—an interpretation confirmed after Attorney General Bowers withdrew a job offer to a lesbian in his office because she was a presumed lawbreaker. (Her legal challenge was not successful.) But *Bowers* also revolutionized the culture at law schools—introducing gaylaw to the curriculum and creating an environment in which law students and faculty came out. (In 1986, Eskridge says, there was only one "unequivocally out" law professor in the country.) And it revved up Lambda, the National Gay Task Force and the ACLU to take another run at state constitutional challenges to consensual sodomy laws. Perhaps because conservatives' "Maginot line" was moving toward same-sex marriage, these campaigns were enormously successful. By the late '90s, several states (Kentucky, Michigan, Montana, Tennessee, Rhode Island, Maryland and, yes, Georgia) had repealed their consensual sodomy laws.

It was amid this legal climate that the Court took up *Lawrence*. Like *Bowers*, *Lawrence* involved the rather improbable arrest of two men at home (police were led there on a phony tip about a crazy man with a gun). It was "too good to be true," remarked Lambda's legal director when she heard about the arrests of John Lawrence and Tyron Garner in Lawrence's apartment in 1998. There were multiple points, moreover, at which the "litigation train" could have stopped: "The police could have confessed that they didn't really have the evidence needed to obtain a conviction under Section 21.06; prosecutors could have decided not to prosecute Lawrence and Garner; state judges could have dismissed charges"; the Supreme Court could have declined to take the case. But in *Lawrence*, gay rights advocates caught one break after another—including a DA's office that said that "the best way to get rid of a bad law was to enforce it"—and in 2003, both sides found themselves standing before the Court.

Lawrence and Garner's team had a strong privacy argument and a strong equal protection claim—Texas law, revised in the 1970s, was one of just four remaining that criminalized homosexual but not heterosexual sodomy. On their side they also had the present and the past. Present: by 2003 only thirteen states still had laws against consensual sodomy on the books. Almost all Americans aged 15–44 engaged in oral sex; half of that cohort had also engaged in anal sex. The United States stood virtually alone among Western nations in maintaining sodomy prohibitions. Moreover, even conservatives were barely defending sodomy laws anymore. While twenty-nine religious groups filed briefs supporting the reversal of *Bowers*, no denomination wrote a brief in support of Texas. Remarkably, the Bush Administration did not file in the case. Neither did the Texas attorney general. All of this was evidence that *Bowers* had not become "part of our national culture," as Lawrence's lawyers asserted before the bar, but was instead "doctrinal anachronism." And, perhaps more important, past: *Bowers* had not just become but rested on anachronism. The focus on homosexual sodomy didn't have deep historical roots. If anything, there "was a strong and unbroken tradition protecting people against police intrusion into consensual activities…within the home."

This was the distorted history that Kennedy righted in his majority opinion striking down Texas's sodomy law as unconstitutional. The liberty at stake, he said, was not the right to engage in homosexual sodomy, as *Bowers* put it, but liberty to be free from state control of personal relationships and private activities. At the historical moment that sodomy laws expanded beyond punishing public and/or forcible behavior, Kennedy insisted, they were almost immediately attacked (first by the Model Penal Code, later through state constitutional challenges). Kennedy also called *Bowers* "demeaning" and said (something the Court almost never says) that it was wrong the moment it was decided. Eskridge is careful to spell out the limitations of the historic decision (which sparked celebratory rallies in forty cities). It confirmed rather than created a new sociopolitical reality, employed a language of "moral distance" and merely affirmed a "*tolerable* range of sexual variation that the state cannot persecute." This is not the same thing,

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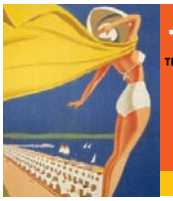
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Eskridge elaborates, as treating homosexuality as benign. States are still "free to suggest that there is a preferred norm, heterosexuality or marriage or whatever."

These cautions don't really tamp down the victorious feeling at the end, and it is enticing and satisfying to read this "deep story of *Lawrence*." Eskridge seems to turn from historian back to law professor in the last pages of the book, concluding with a meditation on the process of constitutional change. This is generally accessible and interesting even for a nonlawyer, but I sometimes wanted a break from the teleology of *Lawrence*, as well as more help figuring out the character of these laws and their consistently duplicitous nature. What to make of an offense so serious as to call for death, so trivial as to be hardly policed? And later, of laws seen as an assault on gay men but fought most vigorously by (gay and straight) women? Or, in states where gays had little public presence, by legal professionals who did not see themselves as advancing gay rights? A crime emblematic of homosexuality that comes to be most often used, especially in the years after *Bowers*, to fill a regulatory stopgap in male-female rape cases? (Did feminists balk at the gay rights challenge to sodomy law?) Relatedly, what is the (long) history of "good" sodomy laws, laws used, in other words, as antiviolence/anticoercion measures?

I am struck, finally, by Justice Powell's declaration in *Bowers* that he had never known a homosexual, because I wonder if we have ever really known sodomy either. What we have understood it as—a metonym for homosexuality—lines up with neither its recent enforcement nor its original meaning. Given the latter, what is most striking about both the *Lawrence* decision and *Dishonorable Passions* is the way that a triumph of modern sexual liberalism has not moved us nearly as far as we might think from our colonial predecessors. True, we no longer prohibit nonprocreative sex, but still, we stay awfully close to the hearth. *Lawrence*, after all, protected sex in the home, and you would have to read Kennedy's decision very closely to realize that Lawrence and Garner were not life partners. "When sexuality finds overt expression in intimate conduct with another person," Kennedy wrote, "the conduct can be but one element in a personal bond that is more enduring." Descriptions of sexual practices that the state cannot regulate still shade into prescriptions of social roles for LGBT people. Eskridge ends by reminding LGBTs of their obligation to form families. This will be a point on which queer critics may pounce, and I will leave it for others to debate its politics. My observation is a simpler one: in sodomy law's demise, something quite powerful remains. ■

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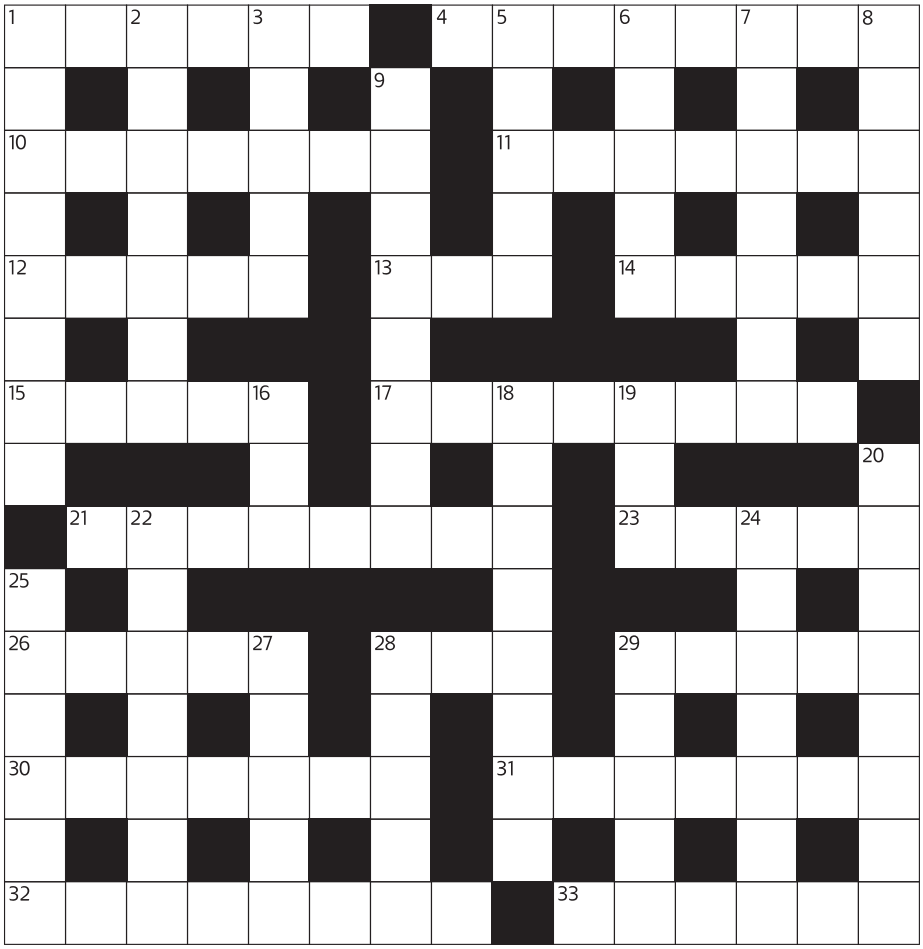

ACROSS

1 and **4** Does it involve going to the glaziers for goods? (6-8)

10 The sort of camera I see represented in the Nation? (7)

11 A couple with backward favorites might start the dance off. (3-4)

12 A witching place for misbehaving males. (5)

13 Possibly a bad striker found in 28. (3)

14 Perhaps Fido, that is—or a little one that was told to get along in song. (5)

15 A helluva place, but you can always find it in the shade. (5)

17 The little devil has legal approval, which is understood. (8)

21 and **23** The hard up might be doing it, which one hears is enjoying the pool by oneself. (8,1,4)

26 In the capital, a most memorable spot. (5)

28 Pa's out of place here, but he might go there for a good scrubbing. (3)

29 Where Walter was told to take the lead, in song. (5)

30 An examination, if your head is necessary to finish it, as you might swear! (7)

31 Caribbean islands—picture the slippery type, if backward. (7)

32 Manages the social upheaval—and really throws things around! (4,4)

33 Such as Bram should be able to tend the fire. (6)

DOWN

1 and **25** "Never mind!" might be the answer for some. (Evidently some problem existed to raise the question.) (5,3,6)

2 A specific requirement came first, if so goaded. (7)

3 Intense dislike, when you get to act up with the medium's last half. (5)

5 Agitated by the sort that goes other than down. (3,2)

6 Peacock-like, in the vernacular. (Such behavior may result in the fall.) (5)

7 Incised carvings not found out with the price printed—51, according to the Romans. (7)

8 A political party with the lady said to go on errands, one hears. (6)

9 Composer—a person with no belief in one finally. (8)

16 Deep, poetically. (3)

18 How the girl's hair was arranged certainly would have ended in a curl like Porky had. (8)

19 Perhaps aid the old comedian's wife. (3)

20 An uninvited guest in the junction, more impolite. (8)

22 To feel bad getting up is no return for more than a brief encounter. (7)

24 The more stars or bars you display, the better chance that you do, as far as the next fellow is concerned. (7)

25 See 1

27 Rosie is upset by a willow branch arrangement. (5)

28 One might be obedient on another's. (3-2)

29 Representive of a bloke, as the Brit says. (5)

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[1]SAMHSA, Office of Applied Studies, National Survey on Drug Use and Health (NSDUH), 2002-2006, Table 8.40B.
[2]SAMHSA, Office of Applied Studies, Treatment Episode Data Set (TEDS) 2007, Table 1b.
[3]DOJ, National Drug Intelligence Center, National Methamphetamine Threat Assessment 2008, December 2007.
[4]National Institute on Drug Abuse, "Principles of Drug Addiction Treatment: A Research-Based Guide," 2000.
[5]SAMHSA, Office of Applied Studies, Treatment Episode Data Set (TEDS) 2007, Table 1a.
[6]National Institute on Drug Abuse, "Principles of Drug Addiction Treatment: A Research-Based Guide," 2000.

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Use it where you like. This small system fits almost anywhere. You can move it from room to room, or take it outside. It has what you need to enjoy your music, including a built-in CD player and digital FM/AM tuner. You also can easily connect additional sources like your MP3 player or TV.

Shown in Graphite Gray with optional 5-CD Changer.

Hear it yourself risk free for 30 days. Use our Excitement Guarantee to try it in your home for 30 days. Be sure to ask about our payment plan, which lets you use your own major credit card to make **12 easy payments,** with no interest charges from Bose.*

Ask about adding the optional 5-CD Changer for hours of uninterrupted music at home. Or, if you like, take the system with you using the optional Travel Case you'll receive for free when you order now. This case is a $149 value. It includes a connection cable for your MP3 player, and a cord to power the system from a car, RV or boat. You can even play your system right inside it.

FREE Travel Case when you order by Sept. 30, 2008.

Compare the performance of the Acoustic Wave® music system II with large, multi-component stereos costing much more. And discover why Bose is the most respected name in sound.

To order or learn more:

1-800-314-3416, ext. G8194

www.Bose.com/AWMS2

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